

THE CITY OF TORONTO

City Clerk's Office

Minutes of the North York Community Council

Meeting 6

Tuesday, July 5, 2005

The North York Community Council met on Tuesday, July 5, 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 12:45 p.m.	2:10 p.m. to 4:55 p.m.
Councillor Augimeri, Chair	x	x
Councillor Stintz, Vice-Chair	x	x
Councillor Carroll	x	x
Councillor Feldman	x	x
Councillor Fillion	x	x
Councillor Jenkins	x	x
Councillor Li Preti	x	x
Councillor Moscoe	x	x
Councillor Pitfield	x	x
Councillor Shiner	x	x
Councillor Minnan-Wong	x	x

On motion by Councillor Minnan-Wong – Ward 34 – Don Valley East, the minutes of the meeting of the North York Community Council held on May 3 and May 31, 2005 were confirmed.

6.1 Draft By-law – To Permanently Close a Portion of the Leslie Street Road Allowance (Ward 24 - Willowdale)

The North York Community Council considered a Draft By-law from the City Solicitor.

The North York Community Council also had before it, for information, a communication (May 27, 2005) from the City Clerk, forwarding the following Motion, titled “Surplus Land Declaration and Proposed Road Closing – Portion of Leslie Street Road Allowance”, which City Council, on May 17, 18 and 19, 2005, adopted, without amendment:

“J(17) Surplus Land Declaration and Proposed Road Closing – Portion of Leslie Street Road Allowance

Moved by Councillor Shiner, seconded by Councillor Feldman

WHEREAS the construction of the proposed Esther Shiner Boulevard and widening of Leslie Street is scheduled to start in the summer of 2005; and

WHEREAS to accommodate this work, the existing bridge connecting the North York General Hospital (‘NYGH’) and the Canadian College of Naturopathic Medicine (‘CCNM’) will be demolished and replaced with a new bridge; and

WHEREAS the new bridge will require construction of a new abutment on lands owned by NYGH; and

WHEREAS lands encumbered by the existing abutment, which form part of Leslie Street (the ‘Highway’) will be made available; and

WHEREAS Transportation Services staff has reviewed the feasibility of closing the Highway and has determined that the Highway can be closed and made available for the purpose of a possible exchange with NYGH; and

WHEREAS no other municipal purpose has been identified for these lands; and

WHEREAS the closing process requires three separate reports to City Council;

NOW THEREFORE BE IT RESOLVED THAT in order to meet the proposed construction schedule, City Council give consideration to the attached report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer, entitled ‘Surplus Land Declaration and Proposed Closing – Portion of Leslie Street Road Allowance’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

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In adopting Motion J(17), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer:

“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, 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 the Highway from the North York General Hospital in exchange for lands owned by it; and
- (5) 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.”

Council also considered the following:

- Report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer”.

The North York Community Council held a public meeting in accordance with the *Municipal Act, 2001*, and notice of the proposed enactment of the draft by-law was posted on the Public Notices Page of the City’s website in accordance with the requirements of the City of Toronto Municipal Code Chapter 162. No one appeared to address the North York Community Council on July 5, 2005.

On motion by Councillor Shiner, Ward 24 – Willowdale, 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 6, Clause 1)

6.2 Request for Fence Exemption – 346 Riverview Drive (Ward 25 – Don Valley West)

The North York Community Council considered a report (June 2, 2005) from the North District Manager, Municipal Licensing & Standards, reporting on a request by the owner of 346 Riverview Drive, for an exemption from the City of Toronto Municipal Code Chapter 447 Fences.

Recommendation:

It is recommended that fence exemption application not be approved.

The North York Community Council also considered a communication (July 4, 2005) from Robert Schad.

Mr. Walter Kehm, Walter Kehm & Associates, appeared before the North York Community Council on behalf of the applicant.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council receive the report and take no action.

(Report 6, Clause 2)

6.3 Encroachment Agreement – 499 Douglas Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (June 13, 2005) from the North District Manager, Municipal Licensing and Standards, reporting on a request by the property owners, Steven and Douglas Walters, to approve a landscaping encroachment on the municipal right-of-way at 499 Douglas Avenue.

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 Executive Director of Municipal Licensing & 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 damage occurring to the area of encroachment or its elements during snow removal;

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- (4) that the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension, if requested by the applicant;
- (5) the indemnification of the City by the 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 Executive Director of Municipal Licensing & Standards;
- (7) the owners will, at their expense and to the satisfaction of the Executive Director of Municipal Licensing & 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) that guards and handrails, where required, comply with current Ontario Building Code Standards;
- (9) the owners pay the following fees:
 - (i) Legal Administration Cost and Registration, plus dispersments, including G.S.T.;
 - (ii) Annual fee of \$3.46 per square metre, for 14.28 square metres, totalling \$49.41, plus G.S.T. for 2005.

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 (June 13, 2005) from the North District Manager, Municipal Licensing and Standards Division.

(Report 6, Clause 3)

6.4 Request for Approval of Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a first party ground sign at 120 Norfinch Drive (Ward 8 – York West)

The North York Community Council considered a report (June 18, 2005) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Arun Mather, on behalf of HCRI Ontario Inc., for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a first party 10' x 20' double faced V-shaped, illuminated ground sign at 120 Norfinch Drive.

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 Li Preti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 18, 2005) from the Director of Building and Deputy Chief Building Official, North District.

(Report 6, Clause 4)

6.5 Inclusion on the City of Toronto Inventory of Heritage Properties – 510 – 520 Sutherland Drive (Kilgour Estate Gates and Gatehouse) (Ward 26 – Don Valley West)

The North York Community Council considered a report (April 18, 2005) from the Director, Policy & Research, City Planning Division, recommending that City Council include the property at 510-520 Sutherland Drive (Kilgour Estate Gates and Gatehouse) on the City of Toronto Inventory of Heritage Properties.

Recommendations:

It is recommended that:

- (1) City Council include the property at 510-520 Sutherland Drive (Kilgour Estate Gates and Gatehouse) 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.

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The North York Community Council also considered the following communications:

- (May 18, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on May 12, 2005, deferred consideration of the report (April 18, 2005) from the Director, Policy and Research, City Planning Division, until its meeting on June 9, 2005.
- (June 10, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on June 9, 2005, recommended to the North York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (April 18, 2005) from the Director, Policy and Research, City Planning Division.

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 Director, Policy and Research, City Planning Division.

(Report 6, Clause 5)

6.6 Intention to Designate under Part IV of the Ontario Heritage Act – 59 Wynford Drive (Bata International Building) (Ward 26 – Don Valley West)

The North York Community Council considered a report (May 13, 2005) from the Director, Policy & Research, City Planning Division, recommending that City Council state its intention to designate the property at 59 Wynford Drive (Bata International Building) under Part IV of the Ontario Heritage Act.

Recommendations:

It is recommended that:

- (1) City Council state its intention to designate the property at 59 Wynford Drive (Bata International Building) under Part IV of the *Ontario Heritage Act*;
- (2) if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the *Ontario Heritage Act*;
- (3) if there are any objections in accordance with Section 29(7) of the *Ontario Heritage Act*, the Clerk be directed to refer the proposed designation to the Conservation Review Board; and

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

The North York Community Council also considered the following communications:

- (June 10, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on June 9, 2005, deferred consideration of the report (May 13, 2005) from the Director, Policy and Research, City Planning Division, until the Special Meeting of the Board or the September 1, 2005 meeting of the Board at the request of the Owners.
- (June 30, 2005) from Brad Teichman, McCarthy Tetrault, on behalf of the property owner, Aga Khan Foundation Canada, requesting a deferral of the application together with a copy of a communication (June 22, 2005) addressed to Brian Gallagher, Heritage Preservation Co-ordinator, Heritage Preservation Services, advising that his client would give an undertaking not to apply for a demolition permit for 59 Wynford Drive on the understanding that the Toronto Preservation Board will not, prior to September 1, 2005, deal with the heritage status of the property or consider the subject matter of the staff report dated May 13, 2005 from Barbara Leonhardt, Director, Policy & Research, City Planning Division.
- (July 4, 2005) from Councillor Pitfield, Ward 26 – Don Valley West, requesting a deferral of this item to the North York Community Council meeting of September 19, 2005.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council deferred the report to its next meeting on September 19, 2005.

(Report 6, Other Items Clause 36(a))

6.7 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit driveway widening for a second parking space at 143 Castlefield Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (June 10, 2005) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 143 Castlefield Avenue, which does not meet the requirements of the Code.

Recommendation:

The application for driveway widening for a second parking space at 143 Castlefield Avenue be denied.

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The North York Community Council also considered a communication (May 26, 2005) from the Manager, Traffic Planning/Right-of-Way Management, addressed to Kacaba & Associates, advising that a report would be submitted to the North York Community Council to accommodate his request for an appeal.

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

- Michael Kacaba, who also filed a written submission; and
- Joanne Kacaba.

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 (June 10, 2005) from the Director, Transportation Services, North York District, and that the request for an exemption from Chapter 248 of the former City of Toronto Municipal Code to permit driveway widening for a second parking space at 143 Castlefield Avenue, be denied.

(Report 6, Clause 6)

6.8 Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to permit residential boulevard parking for two vehicles on the Mount Pleasant Road flank of 153 Golfdale Road (Ward 25 – Don Valley West)

The North York Community Council considered a report (June 14, 2005) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 313, Parking Licenses, of the former City of Toronto Municipal Code, to permit residential boulevard parking for two vehicles on the Mount Pleasant Road flank of 153 Golfdale Road, which does not meet the requirements of the Code.

Recommendation:

The application for residential boulevard parking for two vehicles on the Mount Pleasant Road flank of 153 Golfdale Road be denied.

Hilda Reis-Smart, applicant, appeared before the North York Community Council.

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

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- (1) not adopt the report (June 14, 2005) from the Director, Transportation Services, North York District; and
- (2) approve the request for an exemption from Chapter 313, Parking Licenses, of the former City of Toronto Municipal Code to permit residential boulevard parking for two vehicles on the Mount Pleasant Road flank of 153 Golfdale Road, subject to the following conditions:
 - (a) the new parking area not exceeding 2.6 metres by 5.9 metres in dimension;
 - (b) both parking areas being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent paving treatment acceptable to the Acting General Manager of Transportation Services;
 - (c) the City sidewalk not being encumbered at any time by vehicles overhanging the sidewalk and pedestrian traffic being maintained at all times;
 - (d) the applicant providing the landscape features substantially in accordance with the plan as shown on Appendix 'A', to the satisfaction of the Acting General Manager of Transportation Services; and
 - (e) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code.

(Report 6, Clause 7)

6.9 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit driveway widening for a second parking space at 349 Briar Hill Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (June 13, 2005) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 349 Briar Hill Avenue, which does not meet the requirements of the Code.

Recommendation:

The application for driveway widening for a second parking space at 349 Briar Hill Avenue be denied.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council deferred the report to its next meeting on September 19, 2005.

(Report 6, Other Items Clause 36(b))

6.10 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, recommending that this report be received for information purposes only.

The North York Community Council also considered a report (June 9, 2005) from the Director, Transportation Services, North York District, reporting on existing traffic conditions on Grandravine Drive, Keele Street to Driftwood Drive, recommending that this report be received for information only.

Staff Sergeant Mario Cestra, No. 31 Division, Traffic Response Unit, and Staff Sergeant Bruce Kennedy, No. 31 Division, Community Response Unit, Toronto Police Service, responded to questions presented by Members of the North York Community Council.

Giuseppe Astrella, Grandravine Homeowner's Association, appeared before the North York Community Council.

- A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the staff recommendations in the Recommendations Section of the reports (March 29, 2005) and (June 9, 2005) from the Director, Transportation Services, North York District, to receive the reports for information, be adopted.
- B. Councillor Li Preti, Ward 8 – York West, moved that the staff recommendations in the Recommendations Section of the reports (March 29, 2005) and (June 9, 2005) from the Director, Transportation Services, North York District, not be adopted and a Community Safety Zone be installed on Grandravine Drive, Driftwood Avenue to Keele Street, at a cost not to exceed \$1,500.00.

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

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

The North York Community Council submitted this matter to City Council without recommendation.

(Report 6, Clause 8)

6.11 Request for Removal of Post Road – Bridle Path Speed Bumps (Ward 25 – Don Valley West)

The North York Community Council considered a communication (June 22, 2005) from the City Clerk, advising that City Council, at its meeting on June 14, 15 and 16, 2005, referred Item (b), entitled “Request for Removal of Post Road – Bridle Path Speed Bumps (Ward 25 – Don Valley West)”, contained in Clause 51, back to the North York Community Council for further consideration:

“(b) Request for Removal of Post Road - Bridle Path Speed Bumps (Ward 25 – Don Valley West)

The North York Community Council:

- (1) deferred the request for the removal of speed bumps on Post Road – Bridle Path, as outlined in the communication (May 19, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Residents & Ratepayers Inc.
- (2) requested the Director, Transportation Services, North York District, to:
 - (a) meet with the local Councillor and ratepayers to review the speed hump pattern in the neighbourhood and consider replacing speed humps on one of the streets with an alternative set of turn and/or access restrictions that will limit transient traffic and at the same time clear a route through this neighbourhood for emergency vehicles; and
 - (b) include representatives from the Don Valley East Ratepayers and Residents Inc., the Don Mills Residents Inc., the Victoria Village Community Association and the O’Connor Hills Ratepayers Inc. in the consultation process;
- (3) requested the Director, Transportation Services, North York District, to submit a report, within six months, to the North York Community Council on:
 - (a) the original cost of installing the speed bumps in 1995;

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- (b) the cost of removing any of the speed bumps;
 - (c) the cost of grinding down the speed bumps;
 - (d) the vehicle travel count on Lawrence Avenue East between The Bridle Path and Leslie Street;
 - (e) the Emergency Medical Services response on time differences during the A.M. and P.M. peak periods experienced by emergency vehicles in travelling to Sunnybrook Hospital from Lawrence Avenue East and Don Mills Road and using The Bridle Path and Eglinton Avenue East respectively;
 - (f) the Emergency Medical Services response on time differences during the A.M. and P.M. peak periods experienced by emergency vehicles in travelling to Sunnybrook using York Mills Road from the Don Mills community;
- (4) requested that the Trauma Unit at Sunnybrook Hospital be given the opportunity to provide their comments on this report;
 - (5) requested the local councillor provide notice to the local community when the report is considered by the North York Community Council; and
 - (6) requested that a letter be forwarded from the Chair, North York Community Council to the Works Committee requesting that all reports regarding the installation of speed humps include all comments received from all departments, especially Emergency Services.

The North York Community Council also considered the following communication (May 19, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Residents & Ratepayers Inc.:

A delegation of four community organizations namely: Don Valley East Ratepayers & Residents Inc.; Don Mills Residents Inc.; Victoria Village Community Association; O'Connor Hills Ratepayers Inc.; wish to speak to having the speed bumps on the Post Road-Bridle Path permanent detour for Lawrence since 1929, removed.

Lawrence Avenue is the main east-west route through the heart of Don Mills and Scarborough; the only other east-west roads are Eglinton Avenue and York Mills Road that are 4 kilometres apart. Critically ill patients are at risk going to Sunnybrook Hospital because EMS Ambulance Paramedics will not take patients over these speed bumps for concerns about pain and further injury, but transport

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them via Eglinton Avenue which takes an extra 5 to 7 minutes. This extra time can result in some cases, in unnecessary brain and heart damage.

The Post Road-Bridle Path is a “minor arterial road” with over 10,000 vehicles per day, with some 80% being “through traffic”, and according to the Toronto Road Classification should not have speed bumps.

The North York Community Council also considered a communication (May 25, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Residents & Ratepayers Inc., including a petition dated July 6, 2004 signed by 67 EMS Paramedics.

The following persons appeared before the North York Community Council:

- W. H. Winter, President, Don Valley East Ratepayers Association;
- Michael Dosman, President, Victoria Village Community Association;
- Gordon MacKendrick, Don Valley East Residents and Ratepayers Inc.; and
- Terry West, Don Mills Residents Inc.

Scott Cowden, District Fire Chief, Emergency Management, Fire Services, responded to questions presented by Members of the North York Community Council

Recorded Votes:

A recorded vote on Recommendations (2)(b), (3), (3c), (3d), (3e), (4) and (5) moved by Councillor Minnan-Wong, was as follows:

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

AGAINST: Councillors Moscoe, Filion, Jenkins

ABSENT: Councillors Feldman, Shiner

Carried

A recorded vote on Recommendation (2)(a) moved by Councillor Moscoe, was as follows:

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

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AGAINST: Nil

ABSENT: Councillors Feldman, Shiner

Carried.”

The North York Community Council also considered the following communications:

- (June 30, 2005) from Maureen Wright;
- (July 3, 2005) from Fraser Latta;
- (July 5, 2005) from Hossein Mehdian; and
- (undated) from David Cheong and Perry Dellio;
- (June 15, 2005) from John Ziner;
- (June 17, 2005) from Leslie Dan;
- (June 13, 2005) from Marjorie Sheridan;
- (June 17, 2005) from Ralph Halbert;
- (September 27, 2004) from B. Lipson;
- (June 16, 2005) from Milton Winberg; and
- (June 8, 2005) from Louis Coppa;

The following persons appeared before the North York Community Council on July 5, 2005:

- Maureen Wright;
- Kuntesh Chandaria;
- Sagar Chandaria, Conros Corporation;
- Vasken Yeretsian;
- Ralph Halbert;
- Wally Winter, Don Valley East Residents and Ratepayers Inc.

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- Michael Dosman, who provided a video presentation and submitted a communication (November 15, 2002) from Mitch Stambler, Manager – Service Planning, Toronto Transit Commission, addressed to Gordon MacKendrick, Executive Member, Don Valley East Ratepayers and Community Association;
 - Gordon MacKendrick, Don Valley East Ratepayers Association; and
 - David Cheong.
- A. Councillor Jenkins, Ward 25 – Don Valley West, moved that the recommendations of North York Community Council Report 5 Clause 51(b) be deleted and replaced with the following:
- (1) that staff, in co-operation with the local Ward 25 Councillor, meet with emergency medical services management to determine:
 - (a) the (current) typical travel times of ambulances from the intersection of Don Mills Road and Lawrence Avenue to Sunnybrook Hospital, in emergencies;
 - (b) the expected typical travel times of ambulances from the intersection of Don Mills Road and Lawrence Avenue to Sunnybrook Hospital in emergencies, with no intervening speed bumps;
 - (c) the current typical travel times of ambulances from the intersection of Don Mills Road and Lawrence Avenue to North York General Hospital, in emergencies;
 - (d) the number of emergency trips by ambulance from points east of the intersection of The Bridle Path and Lawrence Avenue to Sunnybrook Hospital via the Bridle Path route, in the period January 1 to June 30, 2005;
 - (e) the number of emergency trips by ambulance from points east of the intersection of The Bridle Path and Lawrence Avenue to Sunnybrook Hospital diverted to another route because of the Bridle Path speed bumps, in the period January 1 to June 30, 2005; and
 - (f) the number of emergency trips by ambulance from points east of the intersection of The Bridle Path and Lawrence Avenue to North York General Hospital, in the period January 1 to June 30, 2005;
 - (2) that staff perform vehicle speed surveys and volume counts on all streets in the Bridle Path community which have speed bumps, during the school year;

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- (3) that staff, in co-operation with the local Ward 25 Councillor, meet with The Path community to review the data collected in Recommendations (1) and (2) and to identify alternative traffic calming measures for the community, if required;
- (4) that staff determine the costs of removing the speed bumps from the Bridle Path community and the costs of implementing alternative traffic calming measures;
- (5) that staff determine the advantages and disadvantages of removing the current speed bumps from the Bridle Path community;
- (6) that staff, in consultation of the advantages and disadvantages in Recommendation (4), in consultation with the Bridle Path community and upon agreement with the local Ward 25 Councillor, recommend alternative traffic calming measures for the Bridle Path community at the lowest cost and with significant improvement in expected travel times for ambulances in emergencies, if possible; and
- (7) that the City Clerk give a minimum of twenty-one days' notice to the Bridle Path community, in consultation with the local Ward 25 Councillor, of all meetings at which North York Community Council may consider such recommendations.

B. Councillor Minnan-Wong, Ward 34 – Don Valley East, moved that Motion A., moved by Councillor Jenkins be amended by:

- (I) incorporating the recommendations of the North York Community Council contained in Item (b) of Clause 51, North York Community Council Report 5;
- (II) amending Recommendation (1) and Recommendation (1)(a) of Councillor Jenkin's motion to read as follows:

“(1) request that Transportation Services staff, in co-operation with the local Ward 25 Councillor and the Ward 34 Councillor, meet with emergency medical services management to determine:

(1)(a) the current typical travel times of ambulances from the intersection of Don Mills Road and Lawrence Avenue to Sunnybrook Hospital; in emergencies;”

- (III) amending Recommendation (1)(b) of Councillor Jenkins' motion to read as follows:

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“(1)(b) the expected typical travel times of ambulances from the intersection of Don Mills Road and Lawrence Avenue to Sunnybrook Hospital in emergencies, with no intervening speed bumps, during peak periods;”

- (IV) amending Recommendation (1)(d) of Councillor Jenkins’ motion to read as follows:

“(1)(d) the number of emergency trips by ambulance from points east of the intersection of The Bridle Path and Lawrence Avenue to Sunnybrook Hospital via The Bridle Path route, in the last 5 years;”

- (V) amending Recommendation (1)(e) of Councillor Jenkins’ motion to read as follows:

“(1)(e) the number of emergency trips by ambulance from points east of the intersection of The Bridle Path and Lawrence Avenue to Sunnybrook Hospital diverted to another route because of The Bridle Path speed bumps, in the last 5 years;”

- (VI) amending Recommendation (1)(f) of Councillor Jenkins’ motion to read as follows:

“(1)(f) the number of emergency trips by ambulance from points east of the intersection of The Bridle Path and Lawrence Avenue to North York General Hospital, in the last 5 years;”

- (VII) amending Recommendation (3) of Councillor Jenkins’ motion to read as follows:

“(3) requested that Transportation Services staff, in co-operation with the local Ward 25 Councillor and Ward 34 Councillor, meet with The Bridle Path community, the Don Valley East Ratepayers and Residents Inc., the Don Mills Residents Inc., the Victoria Village Community Association and the O’Connor Hills Ratepayers Inc., to review the data collected in Recommendations (1) and (2); and to identify alternative traffic calming measures for the community, if required;”

- (VIII) amending Recommendation (6) of Councillor Jenkins’ motion to read as follows:

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“(6) requested that Transportation Services staff, in consideration of the advantages and disadvantages in Recommendation (9), in consultation with The Bridle Path community and other local ratepayers associations (Don Valley East Ratepayers and Residents Inc., the Don Mills Residents Inc., the Victoria Village Community Association and the O’Connor Hills Ratepayers Inc.), and upon agreement with the local Ward 25 Councillor and Ward 34 Councillor, recommend alternative traffic calming measures for The Bridle Path community at the lowest cost and with significant improvement in expected travel times for ambulances in emergencies, if possible;”

(IX) amending Recommendation (7) of Councillor Jenkins’ motion to read as follows:

“(7) requested that the City Clerk give a minimum of twenty-one days’ notice to The Bridle Path Community, the Don Valley East Ratepayers and Residents Inc., the Don Mills Residents Inc., the Victoria Village Community Association and the O’Connor Hills Ratepayers’ Inc., in consultation with the local Ward 25 Councillor and Ward 34 Councillor, of all meetings at which the North York Community Council may consider such recommendations.”

C. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council only recommend adoption of Recommendation (2)(a) of Item (b) contained in Clause 51, North York Community Council Report 5, as follows:

“(2) request the Director, Transportation Services, North York District, to:

(a) meet with the local Councillor and ratepayers to review the speed hump pattern in the neighbourhood and consider replacing speed humps on one of the streets with an alternative set of turn and/or access restrictions that will limit transient traffic and at the same time clear a route through this neighbourhood for emergency vehicles;”

D. Councillor Shiner, Ward 24 – Willowdale, moved that Motion B., by Councillor Minnan-Wong be amended by revising the wording of Recommendation (3) of Item (b) contained in Clause 51, North York Community Council Report 5, so it now reads as follows:

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“(3) requested the Director, Transportation Services, North York District, to submit a report, no later than the November meeting of the North York Community Council, scheduled for November 15, 2005; on”

Voting:

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

Upon the question of the adoption of Motion D., by Councillor Shiner, in amendment to Motion B., by Councillor Minnan-Wong, it was carried.

Upon the question of the adoption of Parts (II, III, IV, V, VI, VII and VIII) of Motion B, by Councillor Minnan-Wong, it was carried.

Upon the question of the adoption of Part I, of Motion B., by Councillor Minnan-Wong, it was carried.

Upon the question of the adoption of Motion A., by Councillor Jenkins, as amended, by Motion B., by Councillor Minnan-Wong and Motion D., by Councillor Shiner, it was carried.

(Report 6, Other Items Clause 36(c))

Councillor Augimeri resumed the Chair.

6.12 Two Way Centre Left Turn Lane/Lane Designations/Parking Prohibitions – Marlee Avenue, Roselawn Avenue to Lawrence Avenue West (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 17, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to introduce a two-way centre turn lane, designate traffic lanes and prohibit parking.

Recommendations:

It is recommended that:

- (1) Schedule XIV of By-law No. 31001, of the former City of North York, be amended in order that the pavement markings on Marlee Avenue, from the southerly limit of Fairholme Avenue and the northerly limit of Briar Hill Avenue, can be modified to provide for one northbound traffic lane, one southbound traffic lane and a centre lane designated for northbound and southbound left turns only;

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- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 7:00 a.m. to 6:00 a.m., Monday to Friday prohibition on both sides of Marlee Avenue, from the southerly limit of Lawrence Avenue West to the northerly limit of Glen Park Avenue;
 - (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibition on both sides of Marlee Avenue, from the southerly limit of Glen Park Avenue to the southerly limit of the former City of North York;
 - (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking at anytime on both sides of Marlee Avenue, from the southerly limit of Lawrence Avenue West to the southerly limit of the former City of North York;
 - (5) Schedule XIII of By-law 31001, of the former City of North York be amended by designating the easterly northbound traffic lane from Marlee Avenue, between the southerly limit of Lawrence Avenue West and a point 52 metres southerly thereof, be designated for right turns only;
 - (6) A Road Alterations By-law be enacted to permit the widening of Marlee Avenue, between Lawrence Avenue West and Fairholme Avenue, as illustrated on Attachment 5;
 - (7) 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. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council recommend that:
- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (June 17, 2005) from the Director, Transportation Services, North York District, subject to:
 - (a) Recommendation (1) in the staff report being amended to read as follows:
 - “(1) Schedule XIV of By-law No. 31001, of the former City of North York, be amended in order that the pavement markings on Marlee Avenue, from the southerly limit of Fairholme Avenue and the northerly limit of Briar Hill Avenue, can be modified to provide for one northbound traffic lane, one southbound traffic lane, a centre lane designated for northbound and southbound left turns only, and a 1.2 m

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bicycle route from Eglinton Avenue north to Del Park Avenue;

- (b) Recommendation (6) in the staff report being amended to read as follows:

“(6) A Road Alterations By-law be enacted to permit the widening of Marlee Avenue, between Lawrence Avenue West and Fairholme Avenue, as illustrated on Attachment 5, with the inclusion of an impressed concrete boulevard edge and street trees where practical and feasible and any addition to the budget be accomplished via funds from delayed or cancelled projects;

- (c) a further Recommendation (8) being added to the staff report as follows:

“(8) That staff facilitate the planned connection of the recently installed beltline bicycle trail to the Marlee bike lane from the west and where feasible and practical, the necessary street connections to connect the beltline trail west from the Allen Road to Yonge Street;”

- (d) a further Recommendation (9) being added to the staff report as follows:

“(9) Staff report on future markings necessary to facilitate a bike connection west along Del Park Avenue;”

- (2) the Acting General Manager, Transportation Services be requested to report to the Works Committee and the Planning and Transportation Committee on the feasibility of establishing a made in Toronto bicycle lane standard.

(Report 6, Clause 9)

6.13 Traffic Control Restrictions – Tribute Homes Development – TB SUB 2002 0002 - Murray Ross Parkway and Sentinel Road (Ward 8 – York West)

The North York Community Council considered a report (June 17, 2005) from the Director, Transportation Services, North York District, reporting on introducing the required traffic by-laws to regulate the flow of traffic on the newly constructed roads within the Tribute Homes Development.

Recommendations:

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It is recommended that:

- (1) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Bowsfield Road as a designated through street from the westerly limit of Leitch Avenue to the easterly limit of Sentinel Road;
- (2) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Cook Road as a designated through street from the westerly limit of Leitch Avenue to the easterly limit of Sentinel Road;
- (3) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Cook Road as a designated through street from the easterly limit of Delabo Drive Avenue to the westerly limit of Sentinel Road;
- (4) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Delabo Drive as a designated through street from southerly limit of Cook Road to the westerly limit of Sentinel Road;
- (5) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Leitch Avenue as a designated through street from southerly limit of Cook Road to the northerly limit of Murray Ross Parkway;
- (6) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Haynes Avenue as a designated through street from southerly limit of Cook Road to the northerly limit of Bowsfield Road;
- (7) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Haynes Avenue as a designated through street from southerly limit of Bowsfield Road to the northerly limit of Murray Ross Parkway;
- (8) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Herzberg Gardens as a designated through street from southerly limit of Bowsfield Road to the northerly limit of Murray Ross Parkway;
- (9) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Kidd Terrace as a designated through street from southerly limit of Cook Road to the northerly limit of Delabo Drive;
- (10) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Mansur Terrace as a designated through street from southerly limit of Bowsfield Road to the northerly limit of Murray Ross Parkway;

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- (11) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'H' as a designated through street from easterly limit of Delabo Drive to the westerly limit of Kid Terrace;
 - (12) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'N' as a designated through street from the southerly limit of Delabo Drive to the northerly limit of Murray Ross Parkway;
 - (13) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'O' as a designated through street from the southerly limit of Cook Road to the northerly limit of Bowsfield Road;
 - (14) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'T' as a designated through street from the easterly limit of Mansur Terrace to the westerly limit of Haynes Avenue;
 - (15) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'V' as a designated through street from the easterly limit of Haynes Avenue to the westerly limit of Herzberg Gardens;
 - (16) Schedule XX of By-law No. 31001, of the former City of North York, be amended by adding Lane 'X' a designated through street from the easterly limit of Herzberg Gardems to the westerly limit of Leitch Avenue;
 - (17) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a "No Heavy Trucks at Anytime" prohibition on Bowsfield Road from Sentinel Road to Leitch Avenue;
 - (18) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a "No Heavy Trucks at Anytime" prohibition on Cook Road from Sentinel Road to Leitch Avenue;
 - (19) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a "No Heavy Trucks at Anytime" prohibition on Cook Road from Sentinel Road to Delabo Drive;
 - (20) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a "No Heavy Trucks at Anytime" prohibition on Delabo Drive from Sentinel Road to Cook Road;
 - (21) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a "No Heavy Trucks at Anytime" prohibition on Haynes Avenue from Murray Ross Parkway to Cook Road;

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- (22) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Herzberg Gardens Avenue from Murray Ross Parkway to Bowsfield Road;
 - (23) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Leitch Avenue from Murray Ross Parkway to Cook Road; and
 - (24) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Mansur Terrace from Murray Ross Parkway to Bowsfield Road.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 17, 2005) from the Director, Transportation Services, North York District.

(Report 6, Clause 10)

6.14 Parking Prohibitions – Princess Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (June 17, 2005) from the Director, Transportation Services, North York District, seeking approval to amend the parking prohibitions on Princess 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 south side of Princess Avenue, from a point 35 metres east of the easterly limit of Gladys Allison Place to a point 51 metres east of the easterly limit of Gladys Allison Place; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 4:00 p.m., Monday to Friday on the south side of Princess Avenue from easterly limit of Gladys Allison Place to the westerly limit of Kenneth Avenue.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 17, 2005) from the Director, Transportation Services, North York District.

(Report 6, Clause 11)

6.15 Parking Prohibitions – James Gray Drive, Patina Drive and Rondeau Drive (Ward 24 – Willowdale)

The North York Community Council considered a report (June 20, 2005) from the Director, Transportation Services, North York District, seeking approval to prohibit parking on James Gray Drive, Patina Drive and Rondeau Drive.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 10:00 a.m. to 2:00 p.m. Monday to Friday, on both sides of James Gray Drive, from the westerly limit of Leslie Street to the westerly limit of Mallaby Road;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 10:00 a.m. to 2:00 p.m. Monday to Friday, on both sides of Patina Drive, from the southerly limit of Francine Drive to the northerly limit of McNicoll Avenue; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 10:00 a.m. to 2:00 p.m. Monday to Friday, on both sides of Rondeau Drive, from the northerly limit of Francine Drive to the end of the Cul-de-Sac.

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

(Report 6, Clause 12)

6.16 School Bus Loading Zone – Yorkwoods Gate (Ward 8 – York West)

The North York Community Council considered a report (June 17, 2005) from the Director, Transportation Services, North York District, seeking approval to amend the existing school bus loading zone on Yorkwoods Gate associated with Yorkwoods Public School.

Recommendation:

It is recommended that By-law No. 32759, of the former City of North York, be amended by deleting the school bus loading zone on the south side of Yorkwoods Gate, from a point 117 metres east of the easterly limit of Jane Street to a point 29 metres easterly thereof.

The North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (June 17, 2005) from the Director, Transportation Services, North York District.

(Report 6, Clause 13)

6.17 Amendment to the Payment-in-Lieu of Parking Requirement for 1940 Avenue Road (Ward 16 – Eglinton-Lawrence)

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

“WHEREAS the North Toronto Naturopathic Clinic (NTNC) is located at 1940 Avenue Road; and

WHEREAS the NTNC applied for a change to the permitted use of the building from retail to a naturopathic clinic; and

WHEREAS this change in use reduces the need for parking spaces on site; and

WHEREAS the Committee of Adjustment approved the Minor Variance Application No. A568/04M on September 23, 2004 on condition that the NTNC provide payment-in-lieu of parking; and

WHEREAS the Transportation Services Director reviewed the application and determined that “the parking deficiency assessed for the subject site resulting from the proposed use is 2 parking spaces” (Memorandum dated September 22, 2004); and

WHEREAS the nature of services provided by the NTNC require one hour sessions with clients; and

WHEREAS the one hour sessions will result in a maximum of approximately ten clients per day, resulting in less traffic generated and less parking required in order for the NTNC to operate their business; and

WHEREAS the site of the property is situated in an ideal location and is well served by on-street metered parking and an adjacent 97 space municipally operated lot; and

WHEREAS a number of neighbouring businesses and community residents have provided written support of the NTNC;

NOW THEREFORE BE IT RESOLVED THAT the Director of Transportation Services, North District review the requirement for payment-in-lieu of parking for the NTNC and report back to North York Community Council on September 20, 2005 with recommendations;

AND BE IT FURTHER RESOLVED THAT the payment-in-lieu of parking requirement deadline of September 20th, be extended until Council makes a final recommendation”.

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

(Report 6, Clause 14)

6.18 Outstanding Capital Repairs and Security Issues at Mel Lastman Square (Ward 23 – Willowdale)

The North York community Council considered a report (May 30, 2005) from the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation, reporting on the outstanding capital repairs and security issues at Mel Lastman Square.

Recommendations:

It is recommended that:

- (1) the Facilities and Real Estate (F&RE) and the Parks, Forestry and Recreation (PF&R) Divisions provide a list of outstanding capital repairs and security issues requiring a capital budget, to the future North York Community Council meeting, to be held on July 5, 2005; and
- (2) the F&RE and PF&R Divisions provide a further report to clarify responsibility for capital repairs for exterior spaces at the Civic Centres, City Hall and Metro Hall.

The North York Community Council also considered a report (June 16, 2005) from the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation, reporting on the outstanding capital repairs and security issues at Mel Lastman Square.

Recommendation:

It is recommended that this report be received for information.

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On motion by Councillor Minnan-Wong, the North York Community Council:

- (1) recommended that City Council adopt staff Recommendation (2) of the report (May 30, 2005) from the Chief Corporate Officer and General Manager of Parks, Forestry and Recreation; and
- (2) received the report (June 16, 2005) from the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation, for information.

(Report 6, Clause 15)

6.19 Preliminary Report – Rezoning Application – 05 125830 NNY 23 OZ and Site Plan Application – 05 125819 NNY 23 SA – Adam Brown, Brown Dryer Karol – Pancon Design Group – 91, 93, 95, 97 and 99 Finch Avenue West (Ward 23 – Willowdale)

The North York Community Council considered a report (June 17, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

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

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

- (1) approved the staff recommendations in the Recommendations Section of the report (June 17, 2005) from the Director, Community Planning, North York District; and
- (2) approved the following Resolution:

“THEREFORE BE IT RESOLVED that the Preliminary Report be approved subject to the notice area of the community consultation meeting being

expanded to include all landowners and residents residing in and directly contiguous to the Central Finch Area Secondary Plan, east of Carney Road on the north side of Finch Avenue, and east of Edithvale Drive south of Finch Avenue West; and that the applicant pay the City for the costs associated with extending the notice area.”

(Report 6, Other Items Clause 36(d))

6.20 Preliminary Report – Rezoning Application – 05 128488 NNY 24 OZ – Daniels HR Corporation – Kirkor Architects & Planners – 603-611 Sheppard Avenue East & 9, 15, 17 Rean Drive & 6, 8, 10 Dervock Crescent (Ward 24 – Willowdale)

The North York Community Council considered a report (June 1, 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:

- (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 Shiner, Ward 24 – Willowdale, the North York Community Council approved the staff recommendations in the Recommendations Section of the report (June 1, 2005) from the Director, Community Planning, North District, with Recommendation (2), amended as follows:

“(2) notice for the community consultation meeting be given to landowners and residents with 120 metres of the site and the notice area being extended to include all residents and landowners from Bessarion Road on the east; Hwy 401 to the south; east-side of Bayview Avenue to the west, and Sheppard Avenue West to the north and the north-side of Sheppard Avenue East between Burbank Drive and Hawksbury Road inclusive; and that the applicant pay the City for the costs associated with extending the notice area.”

(Report 6, Other Items Clause 36(e))

6.21 Preliminary Report – Official Plan Amendment & Rezoning Applications – 05 132072 NNY 10 OZ – Nick Sampogna, 2007564 Ontario Ltd. – 920 – 922 Sheppard Avenue West (Ward 10 – York Centre)

The North York Community Council considered a report (June 17, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications.

Recommendations:

It is recommended that 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 recommendation in the Recommendation Section of the report (June 17, 2005) from the Director, Community Planning, North District.

(Report 6, Other Items Clause 36(f))

6.22 Preliminary Report – OPA & Rezoning Application – 05 108032 NNY 23 OZ – Franco Romano, Action Planning Consultants – Mastech Design – 2996 – 3004 Bayview Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (June 17, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

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

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- A. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council:
- (1) defer the report (June 17, 2005) from the Director, Community Planning, North District; and
 - (2) the Director, Community Planning, North District, be requested to undertake an area study for the west side of Bayview Avenue from Finch Avenue to Highway 401, to review appropriate development options for the lots fronting onto Bayview Avenue;
- B. Councillor Shiner, Ward 24 – Willowdale moved that the Ward Councillor for Ward 24 – Willowdale and the residents on the east side of Bayview Avenue also be notified of any community consultation meetings regarding this area study.

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

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

(Report 6, Other Items Clause 36(g))

6.23 Preliminary Report – Rezoning Application – 03 035345 NNY 23 OZ – Site Plan Approval Application – 05 144186 NNY 23 SA – Elio Zoffranieri, Deltera Inc. – Burka Varacalli Architects – Portion of lands on the east side of Yonge Street between Byng Avenue and Church Avenue, and lands at 32 and 38 Byng Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (June 21, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted application for a 30-storey residential and commercial building and a 10-storey residential and commercial building, 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.

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

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

- (1) approved the staff recommendations in the Recommendations Section of the report (June 21, 2005) from the Director, Community Planning, North York District; and
- (2) approved the following Resolution:

“WHEREAS the Preliminary Report dated June 21, 2005 (portion of lands on the east side of Yonge Street between Byng Avenue and Church Avenue, and 32 and 38 Byng Avenue) 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: Olive Avenue to the north, Kenneth Avenue to the east, McKee Avenue and Ellerslie Avenue to the south, and Canterbury Place to the west, and including properties fronting on the west side of Yonge Street between Horsham Avenue and Olive Avenue, and

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

(Report 6, Other Items Clause 36(h))

6.24 Preliminary Report – Application to Amend the Zoning By-law – 05 132085 NNY 08 OZ and Draft Plan of Subdivision – 05 132092 NNY 08 SB – Walker, Nott, Dragicevic Associates Ltd. – 4700 Keele Street (Ward 8 – York West)

The North York Community Council considered a report (June 14, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted applications and seeking Community Council’s directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

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- (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 in accordance with the community consultation requirements of the York University Secondary Plan.
 - (3) Notice for the Public Meeting under the Planning Act be given according to the regulations of the Planning Act and the policies of the York University Secondary Plan.
- A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council:
- (1) approve the staff recommendations in the Recommendations Section of the report (June 14, 2005) from the Director, Community Planning, North York District ;
 - (2) request the Director, Community Planning, North York District, to provide a detailed analysis of York University’s appeal of the Official Plan as it pertains to this application and the present York Secondary Plan;
 - (3) request the Toronto Transit Commission to report on its negotiations with York University as it pertains to the proposed rapid transit busway which adjoins the lands in this application; and
- B. Councillor Li Preti, Ward 8 – York West, moved that:
- (1) Recommendation (2) in the Recommendations Section of the report (June 14, 2005) from the Director, Community Planning, North York District, be amended as follows:
 - “(2) notice for the community consultation meeting be given to landowners and residents in accordance with the community consultation requirements of the York University Secondary Plan; the notice area being extended to include all landowners and residents on the south side of Four Winds Drive, Fountainhead Road, Paulvale Crescent and Romfield Drive; notice be given to all ratepayer associations within Ward 8, west of Keele Street; and that the applicant pay the City for the costs associated with extending the notice area.”; and
 - (2) the North York Community Council request that the traffic impact study to be undertaken by applicant, be made public, subject to receiving consent from the applicant to do so.

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

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

(Report 6, Other Items Clause 36(i))

6.25 Final Report – Part Lot Control Application – 05 116464 NNY 23 PL – Frank Reiss, Terraventure Group – Donald E. Roberts Ltd., Ontario Land Surveyors – 55 & 61 Drewry Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (June 14, 2005) from the Director, Community Planning, North District, reporting on recommending exemption from part lot control in order to allow for 16 townhouse dwelling units to be conveyed under separate ownership.

Recommendations:

It is recommended that:

- (1) the application be approved;
- (2) prior to enactment of the Part Lot Control Exemption By-law, 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 Elements 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 enactment of the Part Lot Control Exemption By-law;
- (5) the City Solicitor introduce the necessary Bill in Council to give effect to Recommendation 1 after such time as Recommendations 2 and 4 are satisfied, with 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 recommendations in the Recommendations Section of the report (June 14, 2005) from the Director, Community Planning, North District.

(Report 6, Clause 16)

6.26 Final Report – Extension of Part Lot Control Exemption – TB PLC 2002 0003 - 1379288 Ontario Limited – 4691 Bathurst Street, 500 Ellerslie Avenue, 47-51 Farrell Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (June 2, 2005) from the Director, Community Planning, North District, reporting on a request for an exemption from Part Lot Control By-law 986-2003 in order that 60 townhouses 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 two years 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 2, 2005) from the Director, Community Planning, North District.

(Report 6, Clause 17)

6.27 Proposal Report – North York Centre Secondary Plan – Review of Density Incentives for Bicycle Storage (Wards 23 and 24 – Willowdale)

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The North York Community Council considered a report (June 17, 2005) from the Director, Community Planning, North District, reviewing and recommending next steps in the review of current policies in the North York Centre Secondary Plan regarding density incentives for bicycle storage.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community meeting in the fall of 2005 on the issues raised in this report;
 - (2) notice for the community meeting be given to all relevant resident associations in the North York Centre Area and advertised in the local paper; and,
 - (3) notice for a Public Meeting under the Planning Act be given according to the regulations under the Planning Act.
- A. Councillor Filion, Ward 23 – Willowdale, moved that:
- (1) the North York Community Council receive the report (June 17, 2005) from the Director, Community Planning, North District; and
 - (2) the Director, Community Planning, North District, be requested to prepare a report containing recommendations to eliminate the bicycle storage exemption and replace it with an appropriate requirement for bicycle storage; and that this report be brought forward to the North York Community Council for its next meeting on September 19, 2005 for a public hearing;
- B. Councillor Shiner, Ward 24 - Willowdale, moved that the Director, Community Planning, North District, be requested to also include in this review, the requirement for one storage locker per condominium or apartment unit for developments in the North York City Centre Plan; and
- C. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the Director, Community Planning, North District, be requested to report on possible requirements for the provision of bike paths on bicycle rights-of-way across development properties, and the possibility of developing a co-ordinated off-road bicycle route through the North York Centre Secondary Plan area.

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

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

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

(Report 6, Other Items Clause 36(j))

6.28 Site Plan Control Application – 05 109993 NNY 25 SA – 63 Wimpole Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (June 15, 2005) from the Director, Community Planning, North District, reporting on a site plan control application for a single detached house at 63 Wimpole Drive. The proposal has been referred by Councillor Jenkins to City Council for a decision through North York Community Council.

Recommendations:

It is recommended that City Council:

- (1) Approve in principle the proposed single detached home as indicated on the drawings entitled Site and Grading Plan, prepared by RN Design dated June 7, 2005 and the Landscape Plan and the Tree Preservation Plan prepared by Schollen & Company dated May 25, 2005 subject to:
 - (a) the satisfaction of the following conditions prior to site plan approval:
 - provision of a security deposit for City-owned trees identified in Item 1 contained in Attachment 3
 - a completed application to remove private trees identified in Item 2 contained in Attachment 3
 - (b) the satisfaction of the following conditions to be fulfilled after site plan approval:
 - the standard conditions for single detached dwellings identified as Items 3 to 10 in Attachment 3
- (2) Authorize the Chief Planner or his designate to give final approval to the site plan when the two conditions required prior to site plan approval contained in Attachment 3 have been fulfilled.

The North York Community Council also considered the following communications:

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- (June 21, 2005) from Joel Goldman, requesting permission to address the Community Council respecting 63 Wimpole Drive; and
 - (June 28, 2005) from Joel Goldman, commenting on the safety aspects of the proposed driveway.

The following persons appeared before the North York Community Council:

- Anthony Bruno, applicant;
 - Dr. Joel Goldman;
 - Mary McKee; and
 - Era Theddorou.
- A. Councillor Jenkins, Ward 25 – Don Valley West, moved that the North York Community Council recommend that City Council not adopt the staff recommendations in the Recommendations Section of the report (June 15, 2005) from the Director, Community Planning, North District; that the site plan control application, as submitted, not be approved, and the applicant be encouraged to bring back a site plan with the driveway at the northwest part of the property.
- B. Councillor Shiner, Ward 24 – Willowdale, moved that the Director, Transportation Services, North York District, be requested to submit a report to the North York Community Council, on the current status of the closed Harrison Road road allowance by the Fall of 2005.

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

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

(Report 6, Clause 18)

6.29 Final Report – Removal of Holding (H) Symbol – 05 109109 NNY 34 OZ – English Lane Homes Inc. – 39 Green Belt Drive (Ward 34 – Don Valley East)

The North York Community Council considered a report (May 12, 2005) from the Director, Community Planning, North District, reviewing and recommending approval of an application to amend the Zoning By-law to lift the Holding Symbol provisions as they relate to a parcel of land at the southern portion of a residential plan of subdivision formerly known as 39 Green Belt Drive to accommodate an 8-storey, 192-unit apartment building.

Recommendations:

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It is recommended that City Council:

- (1) amend Zoning By-law 7625 for the former City of North York to remove the Holding Symbol from the lands zoned RM6(85)(H) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2; and,
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

The North York Community Council recommended that City Council adopt the recommendations in the Recommendations Section of the report (May 12, 2005) from the Director, Community Council, North District.

(Report 6, Clause 19)

6.30 Final Report – Rezoning Application – 04 120202 NNY 23 OZ – Site Plan Application – 04 120210 NNY 23 SA – Tas Design Build – Core Architects Inc. – 19 Churchill Avenue (Ward 23 – Willowdale)

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.

The North York Community Council commenced a second statutory public meeting on May 31, 2005, and notice was given in accordance with the *Planning Act*.

No one addressed the North York Community Council on May 31, 2005, since a deferral was being recommended to allow further revisions to be made to the application pending Council's decision on the surplus lands at the rear of Canterbury Place.

The North York Community Council held a statutory public meeting on July 5, 2005, and notice was given in accordance with the *Planning Act*.

The following persons appeared before the North York Community Council on July 5, 2005:

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- Adam Brown, Solicitor of the law firm of Brown Dryer Karol, on behalf of the applicant;
- George Belza, Partner, Analogica, on behalf of Edithvale-Yonge Community Association;
- Tim Pellew, Lansing Community Association, who also filed a written submission; and
- David Rathgeber, Lansing Community Association.

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;

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

The North York Community Council also considered a 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;

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- (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;
- (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;

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- (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 a further report (June 23, 2005) from the Director, Community Planning, North York District recommending approval of applications for zoning amendment and site plan approval for an 18 storey condominium building having a total of 156 units.

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 2);
- (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:
 - (a) enter into a Section 37 agreement with the City, to the satisfaction of the City Solicitor, to provide or fund the following facilities, services and / or matters:
 - (1) a minimum of 1.5 m² per dwelling unit of private indoor amenity area to be provided on site;
 - (2) the Owner agrees to the following as depicted on Plans dated June 9, 2005:
 - (i) maximum of 160 storage lockers in underground parking levels;
 - (ii) mechanical space on ground and 2nd floors to be used exclusively for mechanical purposes;
 - (iii) double-height lobby space;
 - (iv) floor to ceiling height of 4.5 metres for third floor unit at north-east corner of building, such ceiling height to apply to

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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;

- (v) townhouse 05 has reduced basement level and reduced length;
- (3) 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, prior to the enactment of the zoning by-law;
- (4) lands with a density of 112.8 m², Part 3 of Plan 66R-21671 (known municipally as part of 33 Churchill Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances, prior to the enactment of the zoning by-law;
- (5) lands with a density of 1,436.8 m², Part 2 of Plan 66R-21671, (known municipally as part of 33 Churchill Avenue) for park purpose to be conveyed to the City for a nominal sum and free and clear of any encumbrances, prior to the enactment of the zoning by-law;
- (6) a monetary contribution of \$114,635.00 toward the cost of land acquisition for the North York Centre Service Road for the proposed 332.8 m² density incentive, in accordance with the provisions of the Official Plan Amendment 557, prior to the enactment of the zoning by-law;
 - (b) conveyance 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;
 - (c) conveyance to the City, Part 1 of Plan 66R-21671, (known municipally as 37 Churchill Avenue) for parkland dedication;
- (4) approve in principle the site plan as indicated on the drawings listed in Attachment 6, subject to the conditions of approval as listed in Attachment 6;
- (5) authorize the Chief Planner or his designate to give final approval to the site plan when the conditions to be satisfied prior to site plan approval as set out in Attachment 6 to this report have been fulfilled;
- (6) direct the City Solicitor to prepare and register the necessary site plan agreement;
- (7) authorize the District Director, Community Planning to execute the agreement.

The North York Community Council also considered the following communications:

- (June 17, 2005) from Marjory Arnott;
- (June 29, 2005) from Hazen Colbert;
- (July 4, 2005) from Iran Dehghan-Rankch;
- (July 5, 2005) from George Belza, Partner, Analogica, on behalf of the Edithvale-Yonge Community Association;
- petition (undated) signed by nine area residents, in opposition to the application.

A. Councillor Filion, Ward 23 – Willowdale, moved that:

- (1) the North York Community Council recommend that City Council:
 - (a) adopt the staff recommendations in the Recommendations Section of the report (June 23, 2005) from the Director, Community Planning, North District; and
 - (b) receive the reports (March 4, 2005 and April 29, 2005) from the Director, Community Planning, North District; and
- (2) the Director, Community Planning, North York District, be requested to meet with representatives of the local residents associations, to review and consider any technical amendments to the draft by-law prior to the introduction of the by-law to City Council.

(Report 6, Clause 20)

Mayor Miller, Ex-officio, North York Community Council, assumed the Chair and thanked staff for their comments during his tour of the North York Civic Centre that morning and thanked all members of the public who had attended the North York Community Council meeting to express their views, and take part in the public consultation process.

Councillor Augimeri resumed the Chair.

6.31 Final Report – Zoning Amendment Application – 04 121839 NNY 23 OZ – Canadawide Development Corporation – Sherman Brown - Simon West, In House Designs – 9 & 11 Clairtrell Road (Ward 23 – Willowdale)

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

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 7625 for 9 & 11 Clairtrell Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (3) before introducing the necessary Bills to City Council for enactment, require the owner to have obtained Site Plan Approval under Section 41 of the Planning Act.

The North York Community Council also considered a status and request for direction report (June 21, 2005) from the Director, Community Planning, North District, providing an update on the processing of the above project and seeking Council's direction with respect to the upcoming Ontario Municipal Board hearing.

Recommendations:

It is recommended that:

- (1) should City Council wish to support the development as set out in the recommendations for approval in the March 11, 2005 Final Report, the City Solicitor and the appropriate City staff be directed to attend at the Ontario Municipal Board in support of the Zoning and Site Plan Applications; or, alternatively
- (2) should City Council wish to not support the proposed development, the City Solicitor be directed to attend at the Ontario Municipal Board, along with any appropriate witnesses as may be deemed necessary by the City Solicitor, including if necessary outside consultants, in opposition to the proposed development as set out in the March 11, 2005 Final Report.

The North York Community Council also considered the following communications:

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- (July 4, 2005) from Sheila MacPherson; and
- (June 25, 2005) from Peter and Arlette Schulman.
- A. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council recommend that City Council:
 - (1) not support the Zoning By-law Amendment for 9 and 11 Clairtrell Road as set out in Attachment 6 of the Final Report of March 11, 2005;
 - (2) support an amendment to the applicable zoning and the site plan approval application, to revise the development proposal in the following respects:
 - (a) that the easterly block of 10 townhouse units be reversed, so that the rear yards of that block of townhouses would face east toward Mallingham Court and the front yards face west, with no pedestrian or vehicular access being provided via Mallingham Court; and
 - (b) that a second access driveway be introduced via Clairtrell Road connected in a loop with the proposed access driveway via Clairtrell Road, to provide for curbside garbage collection by City vehicles in accordance with Council policy to provide municipal waste, recycling and organic curbside pick-up, and the direction of the Context Plan that was approved by City Council for the northwest Bayview/Sheppard quadrant at its meeting of April 12, 13 and 14, 2005; and
 - (3) direct the City Solicitor to attend at the Ontario Municipal Board along with any appropriate witnesses as may be deemed necessary by the City Solicitor, including if necessary, outside consultants in support of a zoning by-law amendment and site plan approval application, which would implement revisions to the townhouse project as set out in Recommendation (2).

Voting:

During the voting on Motion A., by Councillor Filion, it was requested by Councillor Moscoe, that the voting on Recommendation 2(a) of the Motion be split and that the North York Community Council vote on Part I of 2(a) as follows:

“that the easterly block of 10 townhouse units be reversed, so that the rear yards of that block of townhouses would face east toward Mallingham Court and the front yards face west”.

Upon the question of the adoption of Part I of 2(a), it was lost on a tie vote.

Upon the question of the adoption of Part II of 2(a) (that no pedestrian or vehicular access be provided via Mallingham Court) it was carried.

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

(Report 6, Clause 21)

6.32 Encroachment Agreement Application – 1887 Avenue Road, North York (Ward 16 – Eglinton Lawrence)

The North York Community Council considered a report (June 21, 2005) from North District Manager, Municipal Licensing and Standards reporting on a request by the applicants, Daniel Johnson Architect Inc., for an encroachment agreement at 1887 Avenue Road, to permit two (2) awning canopies and a barrier-free accessible ramp 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) that a Building Permit(s) be obtained, as necessary for the canopies or barrier free ramp; and
- (9) 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 \$42.79, for 2005.

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 (June 21, 2005) from the North District Manager, Municipal Licensing and Standards Division.

(Report 6, Clause 22)

6.33 Encroachment Agreement – 21 De Vere Gardens, North York (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (June 23, 2005) from North District Manager, Municipal Licensing and Standards reporting on a request on behalf of the property owner(s), from Enza Schembre of Acme Environmentals Landscape Design Ltd., to approve a landscaping encroachment on the municipal right-of-way at 21 De Vere Gardens.

Recommendations:

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

- (1) that the following concerns be addressed to the satisfaction of the Works, Transportation Services Division, District 3:
 - (a) no stairs or walkways leading to the road are permitted;
 - (b) existing stairs and railing to be relocated so as to not obstruct snow clearing operations on Felbrigg Avenue;
 - (c) no plantings to be within 4.5 metres of the road west of the front door;
 - (d) no plantings to be within 3 metres of the road east of the front door;

- (2) that the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing & Standards;
- (3) that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (4) that no claims will be made against the City by the owner(s) for damage occurring to the area of encroachment or its elements during snow removal;
- (5) that the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (6) the indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (7) 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 Executive Director of Municipal Licensing & Standards;
- (8) the owner(s) will, at their expense and to the satisfaction of the Executive Director of Municipal Licensing & 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;
- (9) that guards and handrails where required comply with current Ontario Building Code standards; and
- (10) the owners pay the following fees:
 - (i) Legal Administration Cost and Registration, plus disbursements, including G.S.T.;
 - (i) Annual fee of \$3.46 per square metre, for 150 square metres, totalling \$519, plus G.S.T. for 2005, (area of occupancy to be verified on completion and subject to a current survey plan being submitted).

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

(Report 6, Clause 23)

6.34 Payment-In-Lieu of Parking: Owner – Maurice Afriat, Tortuga Holdings Agent – Adam Brown, Brown Dryer Karol, 1677 Avenue Road (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (June 27, 2005) from the Director, Transportation Services, North York District seeking approval to exempt the applicant from a parking deficiency of sixteen (16) spaces, subject to payment-in-lieu of parking.

Recommendations:

It is recommended that payment-in-lieu of parking of \$80,000.00 be approved for a deficiency of sixteen (16) parking spaces.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (June 27, 2005) from the Director, Transportation Services, North York District.

(Report 6, Clause 24)

6.35 Traffic Management - Rosewell Avenue at Cheritan Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (June 21, 2005) from the Director, Transportation Services, North York District seeking approval to remove the all way stop control, designate traffic movements through the traffic circle, and amend the parking/stopping regulations on Rosewell Avenue at Cheritan Avenue.

Recommendations:

It is recommended that:

- (1) stopping be prohibited at anytime on the inner perimeter of the traffic circle located at the Rosewell Avenue and Cheritan Avenue intersection;
- (2) stopping be prohibited at anytime on both sides of Rosewell Avenue, from a point 30 metres north of the northerly limit of the traffic circle at Cheritan Avenue to a point 30 metres south of the southerly limit of the traffic circle at Cheritan Avenue;

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- (3) stopping be prohibited at anytime on both sides of Cheritan Avenue, from the westerly limit of the traffic circle at Rosewell Avenue to a point 25 east of the easterly limit of the traffic circle at Rosewell Avenue;
 - (4) the No Parking at Any Time prohibition on both sides of Rosewell Avenue, from Lawrence Avenue West to Cheritan Avenue, be deleted;
 - (5) parking be prohibited from 8:30 a.m. to 6:00 p.m. on the west side of Rosewell Avenue, from a point 30 metres north of the northerly limit of the traffic circle at Cheritan Avenue to a point 76 metres northerly thereof;
 - (6) the existing stop controls for northbound, southbound and westbound traffic at the Cheritan Avenue and Rosewell Avenue intersection, be deleted;
 - (7) traffic around the traffic circle at the Cheritan Avenue and Rosewell Avenue intersection be designated as a one-way/counter-clockwise;
 - (8) the existing through street designation on Rosewell Avenue, between the north side of Glengrove Avenue West and the south side of Lawrence Avenue West, be deleted; and
 - (9) appropriate City officials be authorized and directed to take the necessary action to implement the foregoing, including the introduction in Council of any Bills that may be required.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 21, 2005) from the Director, Transportation Services, North York District, subject to amending Recommendation (3) to read as follows:

- “(3) stopping be prohibited at anytime on both sides of Cheritan Avenue, from the westerly limit of the traffic circle at Rosewell Avenue to a point 25 metres east of the easterly limit of the traffic circle at Rosewell Avenue;”

(Report 6, Clause 25)

6.36 Special Occasion Permit Request – Community Event – The Canadian Hispanic Day Parade – John Booth Arena (Ward 8 – York West)

The North York Community Council considered the following Resolution submitted by Councillor Li Preti, Ward 8 – York West, for consideration by the North York Community Council:

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“WHEREAS a request has been received from The Canadian Hispanic Day Parade for a Special Occasion Permit to hold a community event, “The Hispanic Parade” at the John Booth Arena, North York on Saturday, August 21 and Sunday, August 22, 2005 from 12:00 p.m. to 10:00 p.m.; and

WHEREAS this group requires support and authorization to sell Hispanic food and beer at this event; and

WHEREAS the North York Community Council will be meeting on July 5, 2005;

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

BE IT FURTHER RESOLVED that the liquor permit fees be waived for this application in the amount of \$250.00 per hour, totalling approximately \$3,000.00, since no additional staffing will be required, and since this group receives no grants from the City.”

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

- A. Councillor Shiner, Ward 24 - Willowdale, moved that the North York Community Council recommend that City Council adopt the Resolution, subject to amending the second Operative Paragraph and replacing it with the following, so it now reads as follows:

“BE IT FURTHER RESOLVED that the permit fees be waived, that the organization be charged only the direct costs for the set up and clean up for this event; that volunteers of the organization be requested to assist in the set up and clean up for this event and that staff of the Parks, Forestry and Recreation Division meet in advance of the event to advise the Ward Councillor of the estimated direct costs to the organization.”

- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the General Manager, Parks, Forestry and Recreation, be requested to submit a report directly to City Council on the types of fees charged to organizations for carnivals and parades of this type that take place in City parks and community centres in the North York Community Council boundary area;

Councillor Stintz assumed the Chair.

- C. Councillor Augimeri, Ward 9 – York Centre, moved that the General Manager, Parks, Forestry and Recreation, also report to City Council on:
- (a) the actual detailed costs of The Hispanic Day Parade event to the City, that have to be covered through permits and where some of these costs can be relieved by volunteers; and
 - (b) information with respect to the history of The Hispanic Day Parade organization with the City, including all grants and costs to the City for their events.

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

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

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

(Report 6, Clause 26)

6.37 Special Occasion Permit Request – Community Event – The Marco Antonio Solis Concert – York University Stadium (Ward 8 – York West)

The North York Community Council considered the following Resolution submitted by Councillor Li Preti, Ward 8 – York West, for consideration by the North York Community Council:

“WHEREAS a request has been received from The Latin American Cultural Heritage for a special occasion permit to hold a community event, “The Marco Antonio Solis Concert” at the York University Stadium, North York on August, Saturday 6, 2005 from 3:00 p.m. to 11:00 p.m.; and

WHEREAS this group requires support and authorization to sell Hispanic food and beer on the show’s day; and

WHEREAS the North York Community Council will be meeting on July 5, 2005;

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

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Augimeri, Ward 9 – York Centre, on behalf of Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council recommend that City Council declare, for liquor licensing purposes, The Marco Antonio Solis Concert, to be held on August 6, 2005 at York University Stadium, from 3:00 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.

(Report 6, Clause 27)

6.38 Area Beautification – Lawrence Square and Lawrence Heights (Ward 15 –Eglinton-Lawrence)

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

“WHEREAS The Lawrence Square Mall sought and received a technical amendment from the Committee of Adjustment for relief from 25 parking spaces in order to permit a school to locate In the Mall; and

WHEREAS as a result of this adjustment Lawrence Square will be required to convey to the City cash in lieu of parking at the rate of \$2,500 per space; and

WHEREAS as part of the Clean and Beautiful City Campaign each Councillor has been asked to identify one location within their ward to beautify; and

WHEREAS idependently of this committee of adjustment application, my ward has chosen to develop flower gardens within the Lawrence Heights community on city property, backing onto the rear of the Lawrence Square property; and

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WHEREAS this project can be much more successful if it actually had some money; and

WHEREAS I have approached Lawrence Square with a proposal which they have accepted; i.e. they will contribute an additional \$1,000 per parking space towards the Beautiful City Project if the city directs the cash in lieu funding towards the landscaping of their parking area adjacent to the beautification project; and

WHEREAS the Traffic Department supports this initiative and has no Objection to the use of the funds for this purpose;

THEREFORE BE IT RESOLVED THAT the cash in lieu payment by Lawrence Square (\$62,000) plus a voluntary payment of \$25,000) for a total of \$87,500 be applied to the landscaping of the rear parking lot of Lawrence Square and the adjacent beautiful city project; and

BE IT FURTHER RESOLVED THAT this be secured through a nonrefundable letter of credit in the amount of \$87,500 conveyed to the City by Lawrence Square; and

BE IT FURTHER RESOLVED THAT the landscaping plan be approved by the Director of Planning, North York District and it be subject to site plan control.”

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 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent 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 6, Clause 28)

6.39 Final Report – Part Lot Control Exemption Application – 05 107820 NNY 08 PL – Walker Nott Dragecivic Associates Limited – 4700 Keele Street (Ward 8 – York West)

The North York Community Council considered a report (June 29, 2005) from the Director, Community Planning, North York District, reporting on a request for an exemption from Part Lot Control to allow 42 semi-detached dwelling units to be conveyed into separate ownership.

Recommendations:

It is recommended that:

- (1) The application be approved as shown in Attachments 1 and 2;
- (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) The appropriate City Officials be authorized and directed to register the By-law on title; and
- (5) The Owner shall provide a tax certificate that confirms that all municipal taxes have been paid.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Augimeri, Ward 9 – York Centre, on behalf of Councillor Li Preti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 29, 2005) from the Director, Community Planning, North York District.

(Report 6, Clause 29)

6.40 Report Request – Review of Leaside Character Guidelines (Ward 26 – Don Valley West)

The North York Community Council considered a communication (July 4, 2005) from Councillor Pitfield, Ward 26 – Don Valley West, requesting that Planning Staff review the Leaside Character Guidelines and report back to the September Community Council meeting on the process to develop a set of Character Guidelines for the Community of Bennington Heights.

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 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent 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 approved the request to have Planning Staff review the Leaside Character Guidelines and report to North York Community Council for its meeting on September 19, 2005 on a process to develop a set of Character Guidelines for the Community of Bennington Heights, as outlined in the communication (July 4, 2005) from Councillor Pitfield, Ward 26 – Don Valley West.

(Report 6, Other Items Clause 36(k))

6.41 Payment-in-Lieu of Parking – Committee of Adjustment Application – A0451/05NY – 20 Orfus Road (Ward 15 – Eglinton-Lawrence)

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

“WHEREAS this application has requested a change in use which is consistent with the former use; and

WHEREAS under this new application, the applicant would be short three parking spaces; and

WHEREAS it is the City’s policy now to have cash-in-lieu come directly to the City;

THEREFORE BE IT RESOLVED THAT the City is prepared to accept cash-in-lieu for up to three parking spaces subject to approval of this application by the Committee of Adjustment; and

BE IT FURTHER RESOLVED THAT an additional condition be placed on the proposal that it be subject to a landscape design subject to approval by the Director of Community Planning, North District, and the landscape plan be secured by a letter of credit.”

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 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent 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 6, Clause 30)

6.42 Payment-in-Lieu of Parking – Lawrence Plaza and Winners (Ward 15 – Eglinton-Lawrence)

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

“WHEREAS Winners has submitted an application to the Committee of Adjustment to construct a freight elevator adjacent to their loading dock on the Bathurst Street side of Lawrence Plaza; and

WHEREAS Winners have agreed to co-operate with the City by allowing the City to attach its application re: Lawrence Plaza to the Winners application; and

WHEREAS the City is planning to reconstruct the offset intersection of Bathurst Street and Covington so that the existing pedestrian signal just to the north of this intersection can be moved southward and facilitate the movement of vehicles into this neighbourhood; and

WHEREAS in order to accomplish this project the City requires land from Lawrence Plaza; and

WHEREAS Lawrence Plaza has agreed to donate the land to the City on condition that they be forgiven the three parking spots that they would lose in order to accomplish the City’s objectives; and

WHEREAS all parties have agreed to attach this application to the Winners application which is currently before the Committee of Adjustment; and

WHEREAS the recent decision of the City that all matters with respect to cash-in-lieu must be decided by Council and not the Committee of Adjustment would delay this project by at least four months; and

WHEREAS not determining this matter at today’s community council meeting will prevent the reconstruction of the intersection during this construction season within the time frame of the City’s budget approval;

THEREFORE BE IT RESOLVED THAT in the matter of the two parking spaces to be deleted to construct the Winners elevator the City is prepared to accept a cash-in-lieu payment by Winners if the application is approved by the Committee of Adjustment; and

BE IT FURTHER RESOLVED THAT in the matter of the three parking spaces that are required by the City and being donated to the City for road reconstruction purposes the City

is prepared to waive the cash-in-lieu payment if the application is approved by the Committee of Adjustment.”

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 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent 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 6, Clause 31)

6.43 Ontario Municipal Board Hearing – Committee of Adjustment Application – B0024/05NY – 2 Park Lane Circle (Ward 25 – Don Valley West)

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

“WHEREAS on May 12, 2005, the Committee of Adjustment – North Panel refused a request by the owners of 2 Park Lane Circle to sever the property at 2 Park Lane Circle into two parts for the purposes of creating a new residential building lot; and

WHEREAS the application was accompanied by a negative staff report; and

WHEREAS 2 Park Lane Circle is the smallest lot in The Bridle Path area (0.5ha) and was subject to previous applications which were appealed to the Ontario Municipal Board; and

WHEREAS the owners have appealed the Committee of Adjustment decision to the Ontario Municipal Board;

THEREFORE BE IT RESOLVED THAT the City Planning and Legal staff be authorized to attend at the Ontario Municipal Board hearing to uphold the Committee of Adjustment refusal decision of May 12, 2005.”

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent

meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

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

(Report 6, Clause 32)

6.44 Ontario Municipal Board Hearing – Committee of Adjustment Application – A0259/05NY – 64 Poyntz Avenue (Ward 23 – Willowdale)

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

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) approved an application by Doru Vasile, the owner of 64 Poyntz Avenue construction of a two storey addition attached to the east of the existing dwelling.

WHEREAS variances were requested with respect to existing lot area, lot coverage, finished first floor elevation, and east and west side yard setbacks.

WHEREAS staff did not support the proposal and provided historical background on the property.

WHEREAS an area resident has appealed the Committee’s decision to the Ontario Municipal Board.

WHEREAS no date has been set for the hearing.

THEREFORE BE IT RESOLVED that Council authorize the City Solicitor and Planning Staff to attend the Ontario Municipal Board hearing to uphold the City’s By-law and oppose the Committee’s decision.”

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 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent 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 6, Clause 33)

6.45 Ontario Municipal Board Hearing – Committee of Adjustment Applications – 230 Horsham Avenue (Ward 23 – Willowdale)

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

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by Amir Charmch, the owner of 230 Horsham Avenue, for consent to sever a residential property fronting onto the north side of Horsham Avenue into two residential properties having frontages of 9.9m each;

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated variance applications requesting variances for lot frontage and width; lot area, lot coverage, east and west side yard setbacks, dwelling height and finished first floor elevation.

WHEREAS Planning staff raised concerns on the resulting built form only.

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

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

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

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent 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 6, Clause 34)

6.46 Ontario Municipal Board Hearing – Committee of Adjustment Application – 51 Franklin Avenue (Ward 23 – Willowdale)

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

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by Michael Goldfarb, the owner of 51 Franklin Avenue, for consent to sever a residential property fronting onto the south side of Franklin Avenue into two residential properties having frontages of 7.62m each;

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated variance applications requesting variances for lot frontage and width; lot area, lot coverage, east and west side yard setbacks, rear deck width, rear deck projection, finished first floor elevation and below grade garages.

WHEREAS Planning staff commented the creation of smaller lots by severance is not desirable or appropriate in this instance the zoning for this property sets out the applicable performance standards for this lot;

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

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

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

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 24 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent 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 6, Clause 35)

6.47 Payment-in-Lieu of Parking Policy

The North York Community Council considered the following motion:

“Motion moved by: Councillor Moscoe

That the matter of the application of the new Payment-in-Lieu of Parking Policy be referred to the Planning and Transportation Committee.”

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council referred the motion to the Planning and Transportation Committee.

(Report 6, Other Items Clause 36(I))

Waiving the provisions of the Procedural By-law related to meeting times:

Councillor Shiner, Ward 24 – Willowdale, at 12:30 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, North York Community Council waive the requirement of the 12:30 p.m. recess, and continue in session to conclude consideration of all matters scheduled for the morning session, which was carried, more than two-thirds of members present having voted in the affirmative.

Adjournment:

The North York Community Council adjourned its meeting at 4:55 p.m. on Tuesday, July 5, 2005.

Chair