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**NORTH YORK COMMUNITY COUNCIL  
DECISION DOCUMENT  
MEETING 2**

**Date of Meeting:** February 7, 2006  
**Time:** 9:30 a.m.  
**Location:** Council Chambers  
North York Civic Centre  
5100 Yonge Street  
Toronto, Ontario

**Enquiry:** Francine Adamo  
Committee Administrator  
416-395-0480  
nycc@toronto.ca

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*This Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the minutes for the official record.*

*How to Read the Decision Document*

- *recommendations of the Committee to City Council are in bold type after the item heading;*
- *action taken by the Committee on its own authority does not require Council's approval – it is reported to Council for information, and is listed in the decision document in bold type under the heading "Action taken by the Committee"; and*
- *Declarations of Interest, if any, appear at the end of an item.*

*Minutes Confirmed – Meeting of January 17, 2006*

**Communications/Reports:**

1. **Application for Permit to Injure One Privately Owned Tree – 45 Fairchild Avenue (Ward 23 – Willowdale)**

**(Report 2, Other Items Clause 33(a))**

**The North York Community Council:**

- (1) **deferred consideration of the report (January 20, 2006) from the General Manager, Parks, Forestry and Recreation, to its next meeting on April 4, 2006; and**
- (2) **requested the applicant to meet with the Director, Urban Forestry, Parks, Forestry and Recreation, and the neighbour, prior to the City Council meeting on February 14, 2006, to determine whether a resolution can be reached, and in the event a**

**resolution is achieved, that a report from the Director, Urban Forestry, Parks, Forestry and Recreation be submitted to City Council for its consideration.**

Report (January 20, 2006) from the General Manager, Parks, Forestry and Recreation reporting on an application that has been received for a permit to injure one privately owned tree located at 45 Fairchild Avenue.

Recommendations:

It is recommended that:

- (1) the request for permit to injure one 32-cm diameter honey locust tree at 45 Fairchild Avenue be denied; and,
  - (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- 1(a).** Communication (February 3, 2006) from Judith S. Wright, Judith S. Wright + Associates, Consulting Arborists and Landscape Architects, on behalf of the applicant.
- 2. Request to Remove One City-Owned Tree – 49 Chelford Road (Ward 25 – Don Valley West)**

**(Report 2, Clause 1)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 18, 2006) from the General Manager, Parks, Forestry and Recreation.**

Report (January 18, 2006) from the General Manager, Parks, Forestry and Recreation reporting on a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, for permission to remove one City-owned tree situated on the City road allowance adjacent to the above-noted property.

Recommendations:

It is recommended that:

- (1) the request for the removal of one City-owned tree at 49 Chelford Road be denied; and,
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**3. North York Modern Inventory (Ward 26) - Inclusion of Eight Properties on the City of Toronto Inventory of Heritage Properties (Ward 26 – Don Valley West)**

**(Report 2, Clause 2)**

**The North York Community Council recommends that City Council adopt the recommendations of the Toronto Preservation Board, outlined in the communication (January 13, 2006) from the Toronto Preservation Board, as follows:**

- (1) City Council include the following three properties from the North York Modern Inventory (Ward 26) on the City of Toronto Inventory of Heritage Properties:**
  - (a) 844 Don Mills Road (IBM Offices);**
  - (b) 55 Gateway Boulevard (Gateway Boulevard Public School); and**
  - (c) 10 St. Denis Drive (Flemingdon Park Apartments); and**
  
- (2) refer the following five properties back to the Director, Policy and Research, City Planning Division, for a report to the Toronto Preservation Board after consultation with the Owners about the implications of listing their properties:**
  - (a) 770 Don Mills Road (Ontario Science Centre);**
  - (b) 6 Garamond Court (C.C.H. Canadian Building);**
  - (c) 39 Wynford Drive (Neilson Building);**
  - (d) 70 Wynford Drive (Oxford University Press Building), and**
  - (e) 100 Wynford Drive (Bell Data Centre).**

Report (November 2, 2006) from the Director, Policy & Research, City Planning Division recommending that City Council include eight properties from the North York Modern Inventory (Ward 26) on the City of Toronto Inventory of Heritage Properties.

Recommendations:

It is recommended that:

- (1) City Council include the following eight properties from the North York Modern Inventory (Ward 26) on the City of Toronto Inventory of Heritage Properties;**
  - (i) 770 Don Mills Road (Ontario Science Centre)**
  - (ii) 844 Don Mills Road (IBM Offices)**
  - (iii) 6 Garamond Court (C.C.H. Canadian Building)**
  - (iv) 55 Gateway Boulevard (Gateway Boulevard Public School)**
  - (v) 10 St. Denis Drive (Flemingdon Park Apartments)**
  - (vi) 39 Wynford Drive (Neilson Building)**
  - (vii) 70 Wynford Drive (Oxford University Press Building)**
  - (viii) 100 Wynford Drive (Bell Data Centre); and**

- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
- 3(a).** Communication (January 13, 2006) from the Toronto Preservation Board recommending to the North York Community Council that:
- (1) City Council include the following three properties from the North York Modern Inventory (Ward 26) on the City of Toronto Inventory of heritage Properties:
    - (ii) 844 Don Mills Road (IBM Offices)
    - (iv) 55 Gateway Boulevard (Gateway Boulevard Public School)
    - (v) 10 St. Denis Drive (Flemingdon Park Apartments)
  - (2) the following five properties be referred back to the Director, Policy and Research, city Planning Division, for a report to the Board after consultation with the Owners about the implications of listing their properties:
    - (i) 770 Don Mills Road (Ontario Science Centre)
    - (iii) 6 Garamond Court (C.C.H. Canadian Building)
    - (vi) 39 Wynford Drive (Neilson Building)
    - (vii) 70 Wynford Drive (Oxford University Press Building)
    - (viii) 100 Wynford Drive (Bell Data Centre)

**4. Request for Fence Exemption – 15 High Point Road (Ward 25 – Don Valley West)**

**(Report 2, Clause 3)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 23, 2006) from the North District Manager, Municipal Licensing Standards, and that the request by the owner of 15 High Point Road, for an exemption from the City of Toronto Municipal Code, Chapter 447 - Fences, be approved, subject to the following conditions:**

- (1) when the existing private property fence in the front yard, that is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s); and**
- (2) trees, shrubbery, storage or other things placed along the private property front yard fence are limited to 1.0 metres in height within 2.4 metres of the property line and to 1.2 metres in height at any other part so it does not negatively impact the minimum sight line requirements in the by-law.**

Report (January 23, 2006) considering a request by the owner of 15 High Point Road, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendations:

It is recommended that the proposed private property fence in the front yard at the subject property be approved and the exemption be granted subject to the following conditions:

- (1) when the existing private property fence in the front yard, that is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s); and
- (2) trees, shrubbery, storage or other things placed along the private property front yard fence are limited to 1.0 metres in height within 2.4 metres of the property line and to 1.2 metres in height at any other part so it does not negatively impact the minimum sight line requirements in the by-law.

**5. Encroachment Agreement – 101-191 Ravel Road (Ward 24 – Willowdale)**

**(Report 2, Clause 4)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 24, 2006) from the Manager, Municipal Licensing and Standards, North York District, and the request to permit an encroachment agreement consisting of concrete stairs with the required guard, located within the municipal road allowance at 101 – 191 Ravel Road, be approved, subject to the following conditions:**

- (1) the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and Executive Director of Municipal Licensing and Standards;**
- (2) the appropriate City officials be authorized to take the necessary action to give effect thereto;**
- (3) no claims will be made against the City by the owner(s) for damages occurring to the area of encroachment or its elements during snow removal;**
- (4) that the life of the agreement be limited to 10 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 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 no 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 and Standards; and**
- (7) the owner(s) pay the following fees:**
  - (i) Application Fee of \$444.48;**
  - (ii) Legal Administration Cost and Registration, plus dispersments, including G.S.T.; and**
  - (iii) Annual fee (rate adjusted annually) of \$3.76 per square metre for 21.85 square metres, totalling \$82.15, including G.S.T.**

Report (January 24, 2006) from the Manager, Municipal Licensing and Standards, North York District, applying for permission for an encroachment agreement to be located within the municipal road allowance at 101 – 191 Ravel Road, consisting of concrete stairs with the required guard.

Recommendations:

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

- (1) That the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and Executive Director of Municipal Licensing and Standards;
- (2) That the appropriate City officials be authorized to take the necessary action to give effect thereto;
- (3) That no claims will be made against the City by the owner(s) for damages occurring to the area of encroachment or its elements during snow removal;
- (4) That the life of the agreement be limited to 10 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 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 no 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 and Standards;
- (7) The owner(s) pay the following fees:
  - (i) Application Fee of \$444.48;
  - (ii) Legal Administration Cost and Registration, plus disbursements, including G.S.T.;
  - (iii) Annual fee (rate adjusted annually) of \$3.76 per square metre for 21.85 square metres, totalling \$82.15, including G.S.T.

**6. Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit a Second Parking Space at 141 Briar Hill Avenue (Ward 16 – Eglinton-Lawrence)**

**(Report 2, Clause 5)**

**The North York Community Council recommends that City Council, approve the request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit a second parking space at 141 Briar Hill Avenue, subject to the following conditions:**

- (1) both the existing licensed and the new parking area not exceed 2.2 metres by 4.58 metres in dimension;**
- (2) both parking areas being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent paving treatment acceptable to the General Manager of Transportation Services;**
- (3) the applicant providing the landscape features substantially in accordance with the plan as shown on Attachment-2, to the satisfaction of the General Manager of Transportation Services; and**
- (4) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.**

Report (December 14, 2005) reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit a second parking space at 141 Briar Hill Avenue, which does not meet the

requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Recommendation:

It is recommended that the application for a second parking space at 141 Briar Hill Avenue be denied.

**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 108 St Clements Avenue (Ward 16 – Eglinton-Lawrence)**

**(Report 2, Clause 6)**

**The North York Community Council recommends that City Council, approve the request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit a driveway widening for a second parking space at 108 St. Clements Avenue, subject to the following conditions:**

- (1) each of the licensed and new parking areas not exceeding 2.6 metres by 4.59 metres in dimensions;**
- (2) both parking areas being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent paving treatment acceptable to the General Manager of Transportation Services;**
- (3) the applicant entering into the encroachment agreement in which the concrete toe wall as shown on Attachment-1 encroaches within the City of Toronto Right-of-Way. As such, the owner has to submit an administrative fee of \$69.06, a Certificate of Insurance with the City of Toronto named as the Additional Insured with a liability of at least \$2,000,000.00 and a signed encroachment agreement; and**
- (4) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.**

Report (January 20, 2006) from the Director, Transportation Services, North York District reporting on a request on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 108 St Clements Avenue, which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Recommendations:



It is recommended that the application for driveway widening for a second parking space at 108 St Clements Avenue be denied.

**8. Appeal for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code for front yard parking pad at 164 Keewatin Avenue (Ward 25 – Don Valley West)**

**(Report 2, Clause 7)**

**The North York Community Council recommends that City Council grant the appeal for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to maintain the front yard parking pad dimensions with a variable width of 3.4 metres to 4.5 metres and a length of 8.9 metres at 164 Keewatin Avenue.**

Report (December 20, 2005) from the Director, Transportation Services, North York District reporting on an appeal for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to maintain the front yard parking pad dimensions with a variable width of 3.4 m to 4.5 m and a length of 8.9 m length rather than the maximum 2.6 m by 5.9 m as stipulated in the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Recommendations:

It is recommended that City Council deny the appeal to maintain the front yard parking pad dimensions with a variable width of 3.4 m to 4.5 m and a length of 8.9 m at 164 Keewatin Avenue.

**9. Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to permit front yard parking at 109 Montgomery Avenue (Ward 16 – Eglinton-Lawrence)**

**(Report 2, Clause 8)**

**The North York Community Council recommends that City Council adopt the staff recommendation in the Recommendations Section of the report (January 3, 2006) from the Director, Transportation Services, North York District, and that the request for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to permit front yard parking at 109 Montgomery Avenue, be denied.**

Report (January 3, 2006) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 400, Traffic and

Parking, of the former City of Toronto Municipal Code, to permit front yard parking at 109 Montgomery Avenue, which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Recommendations:

It is recommended that the application for front yard parking at 109 Montgomery Avenue be denied.

**10. Appeal for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code for residential boulevard parking at 115 Castlefield Avenue (Ward 16 – Eglinton-Lawrence)**

**(Report 2, Clause 9)**

**The North York Community Council recommends that City Council grant the appeal for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to position the residential boulevard parking pad at a 90 degree angle at the City sidewalk at 115 Castlefield Avenue.**

Report (December 23, 2005) from the Director, Transportation Services, North York District, reporting on an appeal for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to position the residential boulevard parking pad at a 90 degree angle rather than adjacent to the City sidewalk as approved. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Recommendation:

It is recommended that City Council deny the appeal to position the residential boulevard parking pad at a 90 degree angle at the City sidewalk at 115 Castlefield Avenue.

**10(a).** Communication (February 6, 2006) from Judy Switson.

**11. 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 62 St. Germain Avenue (Ward 16 - Eglinton-Lawrence)**

**(Report 2, Clause 10)**

**The North York Community Council recommends that City Council adopt the staff recommendation in the Recommendations Section of the report (January 10, 2006) from the Director, Transportation Services, North York District, and that the request for an**

**exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 62 St. Germain Avenue, be denied.**

Report (January 10, 2006) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 62 St Germain Avenue, which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Recommendation:

It is recommended that the application for driveway widening for a second parking space at 62 St Germain Avenue be denied.

**12. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to permit driveway widening for one vehicle at 111 St Clements Avenue (Ward 16 – Eglinton-Lawrence)**

**(Report 2, Clause 11)**

**The North York Community Council recommends that City Council adopt the staff recommendation in the Recommendations Section of the report (January 10, 2006) from the Director, Transportation Services, North York District, and that the request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for one vehicle at 111 St. Clements Avenue, be denied.**

Report (January 10, 2006) reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for one vehicle at 111 St Clements Avenue, which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Recommendations:

It is recommended that the application for driveway widening for one vehicle at 111 St Clements Avenue be denied.

**13. All Way Stop Control: Byng Avenue at Doris Avenue (Ward 23 – Willowdale)**

**(Report 2, Clause 12)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 17, 2006) from the Director, Transportation Services, North York District.**

Report (January 17, 2006) from the Director, Transportation Services, North York District, seeking approval to install an all way stop control at the intersection of Byng Avenue and Doris Avenue.

Recommendations:

It is recommended that:

- (1) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended to delete the through street designation on Byng Avenue, from the easterly limit of Yonge Street to the westerly limit of Kenneth Avenue;
- (2) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Byng Avenue and Doris Avenue; and
- (3) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

**14. Traffic Calming (Speed Humps): De Quincy Boulevard, Allingham Gardens to King High Avenue (Ward 10 – York Centre)**

**(Report 2, Clause 13)**

**The North York Community Council recommends that City Council, reduce the speed limit on De Quincy Boulevard, to 40km/h between King High Avenue and Allingham Gardens.**

Report (January 20, 2006) from the Director, Transportation Services, North York District reporting on a request to install traffic calming measures (speed humps) on De Quincy Boulevard, Allingham Gardens to King High Avenue.

Recommendations:

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

**15. Proposed Maintenance of an Encroaching Basement Entrance and Garage Overhang – Divadale Drive Flank of 305 Laird Drive (Ward 26 – Don Valley West)**

**(Report 2, Clause 14)**

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

Report (December 20, 2005) from the Director, Transportation Services, North York District reporting on a request to maintain a basement entrance a portion of which encroaches 0.15 metre and a garage overhang which encroaches 0.15 metre within the public right of way on the Divadale Drive flank of 305 Laird Drive. There is no provision for encroachments under former East York By-laws and, accordingly, we are reporting on this matter.

It is recommended that:

- (1) City Council approve the maintenance of the encroaching basement entrance and garage overhang subject to the property owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
  - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form approved by the Chief Financial Officer and Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer may require;
  - (b) maintain the encroaching basement entrance and garage overhang at the owner's expense in good repair and in a condition satisfactory to the General Manager of Transportation Services and will not make any additions or modifications to the encroachments beyond what is allowed under the terms of the Agreement;
  - (c) remove the encroaching basement entrance and garage overhang upon receiving 90 days notice to do so;
  - (d) that the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachments, at which time, the City may consider the Agreement for further extension if requested by the applicant;

- (e) accept such additional conditions as the City Solicitor or the General Manager of Transportation Services may deem necessary in the interest of the City; and
- (2) in the event of sale or transfer of the property abutting the encroachment, Legal Services and/or the General Manager of Transportation Services be authorised to extend the Encroachment Agreement to the new owner, subject to the approval of the General Manager of Transportation Services.

**16. Bicycle Lane Guidelines and Royal York Road Pavement Marking Options (All Wards)**

**(Report 2, Other Items Clause 33(b))**

**The North York Community Council recommended to the Works Committee that where the City is unable to conform to the generally accepted industry guideline of the minimum 1.5 metre for the width of a bike lane, subject to the authorization by City Council:**

- (1) the City allow bike lane installations to a minimum width of 1.25 metre on those streets where parking is not permitted;**
- (2) that a solid white line continue to be painted to separate bicycles from the balance of the roadway; and**
- (3) Transportation Services Division develop a caution symbol to denote a bike lane that is less than 1.5 metre.**

Communication (December 19, 2005) from the City Clerk advising that City Council, on December 14 and 16, 2005, in considering Consolidated Clause 1b in Works Committee report 9, headed "Bicycle Lane Guidelines and Royal York Road Pavement Marking Option (All Wards), containing a report (September 26, 2005) from the General manager, Transportation Services, in part, referred this matter:

- (1) back to the Works committee for further consideration, in order to provide an opportunity for Councillor Moscoe to address the Committee; and
- (2) to the Community Councils, with a request that the Community Councils provide comments on the Bicycle Lane Guidelines to the Works Committee.

**17. Designation of Fire Routes in the City of Toronto, North York Community Council Area**

**(Report 2, Clause 15)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 24, 2006) from the District Fire Chief, Fire Prevention, North Command.**

Report (January 24, 2006) from the District Chief seeking approval for the enactment of the appropriate amending By-law to designate certain locations as fire routes within the meaning of City of Toronto Municipal Code Chapter 880, as amended.

Recommendations:

It is recommended that:

- (1) that part or those parts of the private road or roads shown on the site plan filed with the Fire chief in respect of the municipal addresses set out below be designated as fire routes pursuant to Municipal Code Chapter 880- Fire Routes:
  - (a) 31 Bales Avenue
  - (b) 35 Bales Avenue
  - (c) 37 Four Winds Drive
  - (d) 23 Hollywood Avenue
  - (e) 4801 Keele Street
  - (f) 15 Provost Drive
  - (g) 60 Rowena Drive
  - (h) 4968 Yonge Street
  - (i) 4978 Yonge Street
  - (j) 12 Deerford Road
  
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**18. Condition and Capacity of Existing Sewer Infrastructure in the Wynford / Concorde / Palisades area (Ward 26 – Don Valley West)**

**(Report 2, Other Items Clause 33(c))**

**The North York Community Council received the report (January 10, 2006) from the General Manager, Toronto Water.**

Report (January 10, 2006) from the General Manager, Toronto Water, reporting on the condition and capacity of the existing sewer infrastructure in the subject area as a result of concerns in the community with the submission and approval of several large residential development applications.

Recommendation:

It is recommended that this report be received for information.

- 19. Preliminary Report – Application to Amend the Official Plan and Zoning By-law – 05 199221 NNY 10 OZ – 4588 Bathurst and United Jewish Welfare Fund of Toronto (Page + Steele Architect Planners) – 4588 and 4600 Bathurst Street (Ward 10 – York Centre)**

**(Report 2, Other Items Clause 33(d))**

**The North York Community Council approved the staff recommendations in the Recommendations Section of the report (December 20, 2005) from the Director, Community Planning, North York District.**

Report (December 20, 2005) from the Director, Community Planning, North York District, providing preliminary information on the above-noted application for a new community centre with related uses and seeking Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

It is recommended that:

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



**20. Preliminary Report - Rezoning Application 05 202688 NNY 23 OZ & 05 202699 NNY 23 SA - Sungho Kim (Twin Peaks Construction) - 210 & 212 Finch Avenue West (Ward 23 – Willowdale)**

**(Report 2, Other Items Clause 33(e))**

**The North York Community Council approved the staff recommendations in the Recommendations Section of the report (January 11, 2006) from the Director, Community Planning, North York District, with Recommendation (2) being deleted and replaced with the following instead:**

**“(2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site and the notice area be expanded to include all landowners and residents residing in and directly contiguous to the Central Finch Area Secondary Plan, to the center-line of Finchurst Drive (at Fleetwell Court) and Clarkhill Street on the west, to the center-line of Devondale Avenue to the north, to the center-line of Grantbrook Street and Senlac Road on the east, and including residences from numbers 84 to 56 Bevdale Road on the south; and that the applicant pay the City for the costs associated with expanding the notice area.”**

Report (January 11, 2006) from the Director, Community Planning, North York District, providing preliminary information on the above-noted applications for eight 3-storey townhouse units and to seek 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.

**21. Preliminary Report - Rezoning Application 05 195419 NNY 23 OZ & 05 195423 NNY 23 SA - Franco Romano, Action Planning Consultants - 271 Finch Avenue West (Ward 23 – Willowdale)**

**(Report 2, Other Items Clause 33(f))**

**The North York Community Council approved the staff recommendations in the Recommendations Section of the report (January 13, 2006) from the Director, Community Planning, North York District, with Recommendation (2) being deleted and replaced with the following instead:**

**“(2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site and the notice area be expanded to include all landowners and residents residing in and directly contiguous to the Central Finch Area Secondary Plan, lands fronting the west side of Muirkirk Road, north to the center-line of Brenthall Avenue, across to the center-line of Endell Street and Finchurst Drive on the east, to the center-line of Fleetwell Court and Yorkview Drive to the south; and that the applicant pay the City for the costs associated with expanding the notice area.”**

Report (January 13, 2006) from the Director, Community Planning, North York District, providing preliminary information on the above-noted applications to convert the ground floor of an existing house-form building to a personal service shop, and to seek 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.

**22. Preliminary Report - Application to amend the Official Plan and Zoning By-law - Mel Winch - 2722 Bayview Avenue - 05 167022 NNY 25 OZ (Ward 25 – Don Valley West)**

**(Report 2, Other Items Clause 33(g))**

**The North York Community Council approved the staff recommendations in the Recommendations Section of the report (January 20, 2006) from the Director, Community Planning, North York District.**

Report (January 20, 2006) from the Director, Community Planning, North York District, providing preliminary information on the above noted application to permit an existing accessory dispensing pharmacy at 2722 Bayview Avenue to change from a temporary use to a permanent use, and to seek Community Council's direction on processing the application and conducting a community consultation meeting.

Recommendations:

It is recommended that:

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

**23. Preliminary Report - OPA & Rezoning Application 05 211881 NNY 23 OZ - Site Plan Application 05 211888 NNY 23 SA - Patrick Devine, Goodman & Carr - Page & Steele - 23 & 33 Sheppard Avenue (Ward 23 – Willowdale)**

**(Report 2, Other Items Clause 33(h))**

**The North York Community Council adopted the following Resolution submitted by Councillor Filion, Ward 23 – Willowdale:**

**“WHEREAS the Preliminary Report dated January 24, 2006 (23 and 33 Sheppard Avenue East) 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 following:**

- (1) that the community consultation meeting be scheduled once the applicant has clarified the details of their proposed density and density incentives/density transfers package in relation to requirements of the Secondary Plan;**
- (2) that the notice area for the community consultation meeting be extended to include all residents and landowners within the area bounded by Highway 401 to the south; Yonge Street to the west; Spring Garden Avenue to the north; and Kenneth Avenue, the open space corridor, Dudley Avenue and Willowdale Avenue (just north of Avondale Avenue) to the east; and**
- (3) that the applicant pay the City for the costs associated with extending the notice area.”**

Report (January 24, 2006) from the Director, Community Planning, North York District, providing preliminary information on the above-noted applications and to seek 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 of the Planning Act.
- 23(a).** Communication (February 6, 2006) from Patrick J. Devine, Goodman and Carr, on behalf of the applicant.
- 24. Request for Direction Report – Site Plan Control Application 05 166083 NNY 15 SA – 108 Stayner Avenue – 749839 Ontario Limited (Cityscape Design Innovations Inc.) (Ward 15 – Eglinton-Lawrence)**

**(Report 2, Clause 16)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 20, 2006) from**

the Director, Transportation Services, North York District, subject to the following Notice of Approval Conditions being added and fulfilled before approval to the proposal can be granted:

- (1) the location of the replacement trees be to the satisfaction of the General Manager, Urban Forestry Services, Parks, Forestry and Recreation Division, in consultation with the Ward Councillor and the local residents;
- (2) the applicant be required to post a letter of credit/certified cheque to the appraised value of the previously removed trees (approximately \$85,000.00) to the satisfaction of the General Manager, Urban Forestry Services, Parks, Forestry and Recreation Division;
- (3) the development be phased; in that work on the heritage property shall be substantially underway before foundation permits are issued for the new houses, to the satisfaction of the Manager, Heritage Preservation Services;
- (4) given past experience with the way the property has been maintained by the present owner, the City require the posting of a damage deposit in an amount satisfactory to the Executive Director, Municipal Licensing and Standards Division, to ensure that construction is in accordance with municipal by-laws, and from which the City can deduct to offset negligent practices;
- (5) prior to any building permits being issued, the applicant must pay to the account of Urban Forestry Services, \$7,049.00 in compensation for the four City trees that were arbitrarily removed from City property; and
- (6) the owner shall ensure that any abandoned wells on the subject lands be decommissioned in accordance with Ontario Ministry of the Environment Regulation 903, as amended, and that a certified copy of "record of abandonment" be submitted to the Chief Building Official, prior to issuing any work permits.

Action Taken to the Committee:

The North York Community Council requested:

- (i) the Executive Director, Municipal Licensing and Standards, to report to City Council on February 14, 2006, on the feasibility of restricting construction activity on weekends; and
- (ii) that since Heritage Policies state that Council shall have regard to the characteristics of development in the vicinity of a Heritage Property, it would seek to see variations in brick, colour and style for the adjacent six (6) new buildings to be constructed; and the Manager, Heritage Preservation Services, be requested to report to City Council on February 14, 2006, on the feasibility of controlling the

**architectural design, in order to maintain the heritage character of the existing heritage property, in the new buildings being constructed on the subject property.**

Report (January 20, 2006) from the Director, Community Planning, North York District advising the North York Community Council of a referral to the Ontario Municipal Board of the Site Plan Control Application; seeking Council direction on whether the City Solicitor should be directed to attend the Ontario Municipal Board to support the position outlined in this report and reporting on the tree inventory that previously existed on the property and a reasonable replacement plan.

Recommendations:

It is recommended that:

- (1) The City Solicitor and appropriate City staff be instructed to attend the Ontario Municipal Board to support approval of Site Plan Control Application 05 166083 NNY 15 SA, subject to the Notice of Approval Conditions contained in Attachment 7.
- (2) The Ontario Municipal Board be requested to withhold its Order until the Site Plan Control Agreement has been executed and registered on title.

**25. Request for Direction – Ontario Municipal Board Referral – Site Plan Control Application 05185452 NNY 15 SA – Petroff Partnership Architects - 1300 – 1330 Castlefield Avenue (Ward 15 – Eglinton Lawrence)**

**(Report 2, Clause 17)**

**The North York Community Council recommends that City Council adopt the staff recommendation in the Recommendation Section of the report (January 24, 2006) from the Director, Community Planning, North York District.**

Report (January 24, 2006) from the Director, Community Planning, North York District, advising the North York Community Council of the referral to the Ontario Municipal Board of the site plan control application and to seek Council direction for the City Solicitor to attend the Ontario Municipal Board to support the position outlined in this report.

Recommendation:

It is recommended that the City Solicitor and appropriate City staff be instructed to attend the Ontario Municipal Board and advise the Board that the proposal does not conform to Interim Control By-law 863-2005 and further, the site plan control application should not be reviewed or approved until the appropriate zoning has been implemented through the land use study or resolved at the Ontario Municipal Board.

**26. Ontario Municipal Board Hearing - Committee of Adjustment Application A0693/05NY - Verdiroc Holdings Ltd. – 0 Bayview Avenue E/S - North-east Corner of Bayview Avenue and Sheppard Avenue East (Ward 24 - Willowdale)**

**(Report 2, Clause 18)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale, subject to deleting the Operative Paragraph and replacing it with the following Operative Paragraph instead:**

**“THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board hearing in support of the staff recommendations with regard to this application”**

Motion submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York District) refused an application by Verdiroc Holdings Ltd., the owners of a parcel of land located on the north-east corner of Bayview Avenue and Sheppard Avenue East (CON 2 EY Pt Lot 16 RP 64R7548), to permit an increase in the number of permitted dwelling units, increase building terrace lengths, and alter the minimum parking requirements; and

WHEREAS variances were requested with respect to the maximum number of dwelling units, terrace lengths, and the minimum parking requirement; and

WHEREAS a staff report recommending conditions of approval was submitted to the Committee of Adjustment; and

WHEREAS no date has been set for the hearing;

THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor to attend the Ontario Municipal Board hearing and seek an outside planning consultant to uphold the City’s By-law and the Committee of Adjustment decision.”

**27. Final Report – Application to Amend the Zoning By-law and Draft Plan of Subdivision – 05 132083 NNY 08 OZ and 05 132092 NNY 08 SB – Walker Nott Dragicvic Associates Ltd. – 4700 Keele Street (Ward 8 – York West)**

**(Report 2, Clause 19)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 23, 2006) from the Director, Community Planning, North District.**

Action Taken by the Committee:

**The North York Community Council requested that:**

- (1) the Director, Community Planning, North York District report to City Council for its meeting on February 14, 2006, on the nature and extent of the appeals to the City's Official Plan by York University;**
- (2) the Toronto Transit Commission report to City Council for its meeting on February 14, 2006, on the resolution of issues related to the matter of the York University Busway; and**
- (3) the General Manager, Transportation Services, report to City Council for its meeting on February 14, 2006, on:**
  - (a) the extent to which the proposed laneways meet or do not meet the DIPS standard; and**
  - (b) the applicant paying the full costs for servicing the laneways for snow removal and garbage collection, and the costs of capital equipment to carry-out these services, so that the former Works and Emergency Services recommendations applicable to Phase 1, as unaltered by City Council, also apply to Phase 2.**

Report (January 23, 2006) from the Director, Community Planning, North York District, reviewing and recommending approval of an application to amend the Zoning By-law and a Draft Plan of Subdivision to permit the development of 344 dwellings consisting of 100 single-detached dwellings and 244 semi-detached dwelling units, two public park blocks and a stormwater management block.

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) recommend to the Chief Planner that the draft plan of subdivision as generally illustrated on Attachment 1 to this report be approved, subject to the following conditions:



- (a) prior to final approval and registration of this plan, Council adoption of the Bill involving the Zoning By-law amendment shall be granted and finalized.
- (b) Streets A to H (inclusive), Assiniboine Road, Leitch Avenue and Haynes Avenue within the plan shall be dedicated to the City of Toronto as public highways on the final plan.
- (c) Public Lanes AA to UU (inclusive) shall be dedicated to the City of Toronto as public highways on the final plan.
- (d) Blocks D to F (inclusive) shall be dedicated to the City as public highways on the final plan.
- (e) Blocks A and B shall be dedicated to the City as public parkland on the final plan.
- (f) Block G shall be dedicated to the City as a public walkway on the final plan.
- (g) Block C shall be dedicated to the City of Toronto as a stormwater management facility on the final plan.
- (h) Urban Design Guidelines shall be prepared at the Owner's expense by an Urban Design Consultant acceptable to the Chief Planner. Upon approval by the Chief Planner, these Guidelines shall form part of the Subdivision Agreement.
- (i) the Owner shall covenant and agree in the Subdivision Agreement to retain a Control Architect, at the Owner's expense and acceptable to the Chief Planner, to implement and administer the Urban Design Guidelines. Prior to issuance of a building permit, the Control Architect shall certify that the building plans for each dwelling unit are consistent with the approved Guidelines.
- (j) the owner shall provide evidence of taxes paid.
- (k) the appropriate standard conditions of approval for subdivisions (Attachment 8).
- (l) the conditions of Technical Services Division (Attachment 7A).
- (m) the conditions of Parks, Forestry & Recreation Division, Policy and Development (Attachment 7B).

- (n) the conditions of Parks, Forestry & Recreation Division, Urban Forestry (Attachment 7C).
- (o) the conditions of Parks, Forestry & Recreation, Urban Forestry Services (Attachment 7D).
- (p) the conditions of City Planning Division, Policy & Research, Heritage Preservation Services (Attachment 7E).
- (q) the conditions of the Toronto and Region Conservation Authority (7F).
- (r) the conditions of the Toronto Transit Commission (7G).
- (s) the conditions of the Toronto District School Board (7H).
- (t) the conditions of Toronto Hydro (7I).
- (u) the conditions of Bell (7J).

**28. Request to Remove Privately Owned Trees – 4700 Keele Street (Ward 8 – York West)**

**(Report 2, Clause 20)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 18, 2006) from the General Manager, Parks, Forestry and Recreation.**

Action Taken by the Committee:

**The North York Community Council requested the Director, Urban Forestry, to submit a report to City Council, for its meeting on February 14, 2006, on the status of the trees in this neighbourhood, including those for which this application has been made.**

Report (January 18, 2006) from the General Manager, Parks, Forestry and Recreation reporting on an application that has been received for permit to remove 49 privately-owned trees in conjunction with Subdivision Application No. 05 132092 NNY 08 SB and Zoning By-law Amendment Application No. 05 132085 NNY 08 OZ.

Recommendations:

It is recommended that:

- (1) the request for permit to remove 49 privately owned trees located at 4700 Keele Street be approved conditional upon implementation of a landscape plan satisfactory to the General Manager of Parks, Forestry and Recreation; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**29. Final Report - Application for Partial Removal of the Holding (H) Symbol 05 130946 NNY 25 OZ - Sunnybrook and Women's College Health Sciences Centre - G+G Partnership Architects - 2075 Bayview Avenue (Ward 25 – Don Valley West)**

**(Report 2, Clause 21)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 19, 2006) from the Director, Community Planning, North York District.**

Action Taken by the Committee:

The North York Community Council requested the Director, Community Planning, North York District, to report to City Council for its meeting on February 14, 2006, on any zoning amendment, official plan amendment and site plan application filed by the University of Toronto for any part of the City.

Report (January 19, 2006) from the Director, Community Planning, North York District, reviewing and recommending approval of an application to amend the Zoning By-law to partially remove the holding (H) symbol to facilitate an expansion of the Emergency Department and Central Utilities Plant at the Sunnybrook Hospital on Bayview Avenue.

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
  - (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
  - (3) Require that the applicant obtain Notice of Conditions of Site Plan Approval before the necessary Bills are introduced to City Council for enactment.
- 29(a).** Communication (February 6, 2006) from David Bronskill, Solicitor, of the law firm of Goodmans, on behalf of Sunnybrook and Women's College Health Sciences Centre.

**30. Residential Front Yard Parking Through Zoning and Front Yard Parking Permits**

**(Report 2, Other Items Clause 33(i))**

The North York Community Council referred the following comments regarding the proposed changes to the residential front yard parking regulations to the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services:

- (1) staff develop policies that will ensure that prospective purchasers of properties are made aware:**
  - (a) of limitations on front yard parking and driveway widening;**
  - (b) previous approvals and refusals for front yard parking pads, not limited to but including the requirement to pay permit or license fees;**
  - (c) area specific policies including limitations on front yard parking and driveway widening; and**
  - (d) the Deputy City Manager and Chief Financial Officer be requested to develop a system for attaching relevant information pertaining to these matters to tax certificates;**
- (2) staff abandon either/or staff reports and frame the “or” conditions as part of the by-law or policy in the event that Council grants an exemption;**
- (3) the City collect all front yard parking permit or license charges under Part XII of the *Municipal Act 2001*, and all unpaid front yard parking fees and charges via the tax roll in a like manner as taxes;**
- (4) all current front yard parking by-laws imposed prior to the *Municipal Act 2001*, in the former cities of Toronto, Etobicoke and East York, be amended to insert a provision that future unpaid front yard parking fees and charges will be added to the tax roll and collected in the same manner as taxes;**
- (5) the City establish a policy that anyone who paves an illegal front yard parking pad not be permitted to install a curb cut for a period of one year or make application for a legal parking pad for six months;**
- (6) the City establish a policy of full disclosure regarding permit and front yard parking fees; such fees not be subjected to Freedom of Information and that a standard condition for securing permits be a requirement to waive protection of privacy requirements;**
- (7) when the City paves or resurfaces a street all properties abutting that street be notified at least six months prior to the construction that illegal curb cuts will be**

closed and that all residents be advised that they should verify the status of their parking pads and ensure that the current width of their driveway is in accordance with City by-laws;

- (8) all existing licensed locations be grand parented and that a moratorium, city wide, be placed on all applications and appeals until such time as the new by-law has been finalized;
- (9) if a resident refuses to remove an illegal pad, subject to all relevant appeal mechanisms, City staff be authorized to remove the pad and it be charged to the property owner and be added to the tax bill in a like manner as taxes;
- (10) staff be requested to bring forward policies for Front Yard Parking which incorporates the following:
  - (a) grandfather all current legal front yard parking structures;
  - (b) the driveway may be at least as wide as the garage;
  - (c) establish a principle whereby the property owner can park in the driveway, in front of the garage or on private property, perpendicular to the house;
  - (d) if there is not enough parking space on private property, then allow, through a permit system, for an application to be made for a legal pad parking to the width of the driveway or parking on public property; and
  - (e) that staff report on the widening of the driveway up to 40% of the frontage of the lot;
- (11) the current Zoning By-law regulations regarding front yard parking be maintained for those areas within the boundaries of the former City of North York, former City of York, former Borough of East York and former City of Toronto, as they apply to the North York Community Council area.
- (12) the Zoning By-law be amended to allow Front Yard Parking on those properties in Ward 26 which have mutual driveways; and
- (13) appeals be permitted within Ward 26, contrary to the Front Yard Parking By-law.

Report (January 23, 2006) from the Chief Planner and Executive Director, City Planning Division and General Manager, Transportation Services, summarizing input from recent public meetings for each Community Council to consider, in conjunction with their deliberations on residential front yard and boulevard parking policy and regulation proposals, as requested by the Joint Planning and Transportation and Works Committee, at its meeting of November 30, 2005.

Recommendation:

It is recommended that:

- (1) Community Councils provide comments on the proposed changes to the residential front yard parking regulations to the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services.

**30(a).** Communication (December 30, 2005) from Jon Goulding.

**31. Report of the Governing Toronto Advisory Panel, “The City We Want – The Government We Need”**

**(Report 2, Other Items Clause 33(j))**

**The North York Community Council postponed consideration of the report of the Governing Toronto Advisory Panel, entitled, “The City We Want – The Government We Need” to its next regular meeting on April 4, 2006 to allow public consultation to take place during the evening session of the North York Community Council meeting on that date, commencing at 8:00 p.m.**

Communication (January 13, 2006) from the City Clerk, advising that City Council on December 5, 6 and 7, 2005, adopted Policy and Finance Committee Report 11, Clause 1, and in so doing has forwarded a copy of the report, entitled “The City We Want – The Government We Need” to all Community Councils for public consultation.

The Community Councils are requested to submit their comments to the Policy and Finance Committee for its meeting scheduled to be held in May 2006, in conjunction with the forthcoming report from the City Manager.

**31(a).** Communication (February 3, 2005) from the Administrator, Etobicoke York Community Council, forwarding a communication (February 1, 2006) from Councillor Brian Ashton, Chair, Governance Implementation Working Group;

**31(b).** Communication (December 14, 2005) from Brian Graff; and

**31(c).** Communication (February 6, 2006) from John Smart, President, Teddington Park Residents Association.

**32. Decision of the Agnes Macphail Award Selection Committee – Recipient of the 2006 Agnes Macphail Award**

**(Report 2, Clause 22)**

**The North York Community Council recommends that City Council adopt the recommendation in the confidential communication (February 1, 2006) from Graham Mitchell, Administrative Support, Agnes Macphail Recognition Committee, which was forwarded to all Members of Council under confidential cover; and further, that in accordance with the *Municipal Act, 2001*, discussions pertaining to this Clause be held in camera because it relates to personal matters about an identifiable individual, including municipal or local board employees.**

**33. Reduction in Speed Limit to 40 km/h – Armour Boulevard, between Delhi Avenue/Ridley Boulevard and the easterly limit of Armour Boulevard (Ward 10 – York Centre)**

**(Report 2, Clause 23)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Feldman, Ward 10 – York Centre.**

Resolution submitted by Councillor Feldman, Ward 10 – York Centre:

“WHEREAS residents of Armour Boulevard, between Delhi Avenue/Ridley Boulevard and the easterly limit of Armour Boulevard, have expressed concern with regards to the vehicle speed and volume of traffic on the roadway, and concern for pedestrian safety;

WHEREAS staff of the Transportation Services Division has confirmed that there are no municipal sidewalks on both sides of Armour Boulevard, east of Delhi Avenue/Ridley Boulevard, and the presence of pedestrians on the roadway;

WHEREAS there are no stop controls for eastbound and westbound traffic on Armour Boulevard where it intersects with Delhi Avenue/Ridley Boulevard;

WHEREAS located on Armour Boulevard, west of Delhi Avenue/Ridley Boulevard is a Summit Height Elementary School;

THEREFORE BE IT RESOLVED THAT the regulatory speed limit on Armour Boulevard, between Delhi Avenue/Ridley Boulevard and the easterly limit of Armour Boulevard, be reduced to 40 km/h;

BE IT FURTHER RESOLVED THAT the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.”

**34. Ontario Municipal Board Hearing – Committee of Adjustment Application – 319 and 327 Pleasant Avenue (Ward 23 – Willowdale)**

**(Report 2, Clause 24)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale, subject to deleting the Operative Paragraph and replacing it with the following Operative Paragraph instead:**

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

Action Taken by the Committee:

**The North York Community Council requested the Director, Community Planning, North York District, to report to City Council on February 14, 2006, only if Planning staff cannot attend the Ontario Municipal Board hearing.**

Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused two severance applications by Bruno Brod, Eva Brod and Louise Gorby, the owners of 319 and 327 Pleasant Avenue for consent to sever two residential properties fronting onto the south side of Pleasant Avenue into three residential properties having frontages of 12.5 m, 12.5 m and 12.73 m respectively;

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

WHEREAS Planning staff did not comment on the proposal;

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

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



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

**35. Ontario Municipal Board Hearing – Committee of Adjustment Application – 223 Byng Avenue (Ward 23 – Willowdale)**

**(Report 2, Clause 25)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale.**

Action Taken by the Committee:

**The North York Community Council requested the Director, Transportation Services to report to City Council on February 14, 2006, on why Transportation staff supported the variance request for a 15% driveway slope when the original variance would permit a 10% slope, and the 15% slope is contrary to the permitted and recommended slope.**

Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a minor variance application by Shahrzad Jakeri, the owner, 223 Byng Avenue to allow the existing dwelling to be maintained as constructed;

WHEREAS variances were requested with respect to a driveway slope of 15%;

WHEREAS Planning staff did not comment on the application;

WHEREAS Transportation commented that it could support the minor variance application subject to conditions outlined in their memo;

WHEREAS the applicant has appealed the refusal decision of the Committee of Adjustment for the minor variance application 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 Consultants and attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment decision.”

**36. Ontario Municipal Board Hearing – Committee of Adjustment Application – 89 Sheppard Avenue West (Ward 23 – Willowdale)**

**(Report 2, Clause 26)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale.**

Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a minor variance application by Steve Pal, the owner of 89 Sheppard Avenue West, for the construction of a three storey commercial building with below grade parking;

WHEREAS variances were requested with respect to gross floor area, building height, number of parking spaces to be provided and a rear yard setback;

WHEREAS Planning staff commented that the proposal is not consistent with, nor maintains the intent of the Official Plan and Zoning By-law and that the proposal would be better dealt with by Council through amendments to the Official Plan and Zoning By-law;

WHEREAS the applicant has appealed the refusal decision of the Committee of Adjustment for the minor variance application 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 Planning staff to attend the Ontario Municipal Board hearing to uphold the City’s By-law and the Committee of Adjustment decision.”

**37. Ontario Municipal Board Hearing – Committee of Adjustment Application – 189 Parkview Avenue (Ward 23 – Willowdale)**

**(Report 2, Clause 27)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale.**

Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a minor variance application by Reza Morshedian, the owner, 189 Parkview Avenue for the construction of a new two storey dwelling;

WHEREAS variances were requested with respect to a rear yard setback, lot coverage, a below grade garage, finished first floor elevation and dwelling height;

WHEREAS Planning Staff commented that a below grade garage had been previously refused on this property, that site plan approval had been previously granted on a dwelling in compliance with the by-law requirements and that the application should be deferred in order to allow the applicant an opportunity to submit a site plan application.

WHEREAS the applicant has appealed the refusal decision of the Committee of Adjustment for the minor variance application 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 Planning Staff to attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment decision."

**38. Ontario Municipal Board Hearing – Committee of Adjustment Application – 87 and 89 Caines Avenue (Ward 23 – Willowdale)**

**(Report 2, Clause 28)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Filion, Ward 23 – Willowdale.**

Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused two severance applications by Anna-Maria and Nick D’Urzo, the owners of 87 and 89 Caines Avenue for consent to sever two residential properties fronting onto the south side of Caines Avenue into three residential properties having frontages of 12.39m;

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the three associated minor variance applications requesting variances for lot frontage and width; east and west side yard setbacks and dwelling length;

WHEREAS Planning staff commented that there are no lots found within the study area having frontages equal to the lot frontages proposed under these applications and did not support the proposal.

WHEREAS the applicant has appealed the refusal decisions of the Committee of Adjustment for both the severance applications 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 Planning Staff to attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment decisions."

**39. Ontario Municipal Board Hearing – Committee of Adjustment Application – 23 Cheltenham Avenue (Ward 25 – Don Valley West)**

**(Report 2, Clause 29)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West, subject to deleting the Operative Paragraph and inserting the following Operative Paragraph instead:**

**“THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor to retain outside Planning Consultants to attend the Ontario Municipal Board hearing when scheduled, to uphold the Committee of Adjustment decision and seek Ontario Municipal Board confirmation of the previous agreement.”**

Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West:

“WHEREAS on January 19, 2006 Committee of Adjustment – North Panel, allowed a GFA variance of 0.50 for the property at 23 Cheltenham Avenue to accommodate a new two storey dwelling; and

WHEREAS the applicant at a meeting with neighbours and local Councillor provided assurances, in writing (attached) that he would abide by a reduction in GFA from 0.53 to 0.50 which is more in keeping with the character of Lawrence Park (Toronto) and was supported and welcomed by the neighbours; and

WHEREAS the Committee of Adjustment decision reflected this agreement; and

WHEREAS the owner subsequently changed his mind and is proceeding with an appeal to an Ontario Municipal Board for a FGA of 0.53; and

WHEREAS City Planning Staff did not comment on this application;

THEREFORE BE IT RESOLVED that the City Solicitor is hereby authorized to attend at the Ontario Municipal Board hearing when scheduled, to uphold the Committee of Adjustment decision and seeking OMB confirmation of the previous agreement.”

**40. Temporary Closure of Hershelen Road from Hove Street to the Northerly Terminus of Hershelen Road – April 28, 2006 to April 27, 2007 (Ward 10 – York Centre)**

**(Report 2, Clause 30)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Feldman, Ward 10 – York Centre.**

Resolution submitted by Councillor Feldman, Ward 10 – York Centre:

“WHEREAS residents at the intersection of Hove Street and Hershelen Road have expressed concerns of loitering and illegal activities on Hershelen Road at the entrance to the ravine;

WHEREAS Hershelen Road is a cul-de-sac serving only the affected residents and access to residences is taken from Hove Street;

WHEREAS Toronto Police Services and Toronto Fire Services have advised that the closure of Hershelen Road, either temporarily or permanently would not affect their service delivery;

NOW THEREFORE BE IT RESOLVED THAT Hershelen Road, from Hove Street to the northerly terminus of Hershelen Road be closed temporarily to vehicular traffic from April 28, 2006 to April 27, 2007, in order to discourage loitering and illegal activities on Hershelen Road and to provide the Director, Transportation Services, North York District the ability to investigate and permanent closing on Hershelen Road;

AND BE IT FURTHER RESOLVED THAT the Director, Transportation Services, North York District, be directed to investigate the feasibility of permanently closing Hershelen Road and to report back to the North York Community Council thereon.”

**41. Traffic Restrictions – Bonnington Place and Sheppard Avenue East (Ward 23 – Willowdale)**

**(Report 2, Clause 31)**

**The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (February 6, 2006) from the Director, Transportation Services, North York District.**

Report (February 6, 2006) from the Director, Transportation Services, North York District, reporting on obtaining approval to prohibit certain through traffic movements at the intersection of Bonnington Place and Sheppard Avenue East.

Recommendations:

It is recommended that:

- (1) northbound through traffic be prohibited from 7:00 a.m. to 9:00 a.m., Monday to Friday, except Public Holidays at the intersection of Bonnington Place and Sheppard Avenue East;
- (2) southbound through traffic be prohibited from 7:00 a.m. to 9:00 a.m., Monday to Friday, except Public Holidays at the intersection of Bonnington Place and Sheppard Avenue East;
- (3) northbound left turns be prohibited from 7:00 a.m. to 9:00 a.m., Monday to Friday, except Public Holidays at the intersection of Bonnington Place and Sheppard Avenue East; and
- (4) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

**42. Submission of Revised Application to Amend the Official Plan and Zoning By-law – 03 201751 NNY 08 OZ – Draft Plan of Subdivision – 04 138822 NNY 08 SB – Site Plan Control Application – 03 201756 NNY 08 SA – 102 – 134 Hucknall Road (Ward 8 – York West)**

**(Report 2, Clause 32)**

**The North York Community Council recommends that City Council adopt the Resolution submitted by Councillor Li Preti, Ward 8 – York West, subject to adding the following additional Operative Paragraph:**

**“AND BE IT FURTHER RESOLVED THAT the City Clerk inform the Ontario Municipal Board of Council’s decision.”**

Action Taken by the Committee:

**The North York Community Council requested the City Solicitor to report to City Council on February 14, 2006, to explain the Ontario Municipal Board’s jurisdiction over the revised planning process.**

Resolution submitted by Councillor Li Preti, Ward 8 – York West:

“WHEREAS in 2003, 1530787 Ontario Inc. submitted an application to amend the Official Plan and Zoning By-law, a Draft Plan of Subdivision application and a Site Plan Control application to permit the redevelopment of 102–134 Hucknall Road with 67 residential dwelling units (59 townhouse units and 8 semi-detached units) and a commercial block containing a 1-storey 190-square metre building;

WHEREAS City Planning Division in its Final Report, dated March 7, 2005 recommended approval of the applications to amend the Official Plan and Zoning By-law and a Draft Plan of Subdivision application, as proposed above;

WHEREAS City Council at its meeting on April 12, 2005, did not adopt the staff recommendation and recommended that these applications be refused and instructed the City Solicitor to hire outside planning consultant if the applicant appeals the Council decision to Ontario Municipal Board;

WHEREAS on May 3, 2005, the owner appealed the applications to amend the Official Plan and Zoning By-law, Draft Plan of Subdivision application and Site Plan Control application to the Ontario Municipal Board;

WHEREAS on September 28, 2005, the Ontario Municipal Board dismissed the owner's appeals on these applications in accordance with OMB order No. 2557;

WHEREAS the applicant now proposes to submit revised applications to permit a total of 48 dwelling units (24 semi-detached units and 24 townhouse units) and a commercial block containing 6000 square foot building;

THEREFORE BE IT RESOLVED THAT:

The Owner submit revised applications to the City Planning Division for review, departmental/agency circulation and comment, to allow the Director of Planning, North York District, acting reasonably, to establish Draft Plan Conditions for the Draft Plan of Subdivision and Notice of Approval Conditions for the Site Plan Control Application. In the event that the Director and the Applicant cannot agree on any condition(s) those conditions may be referred back to the Ontario Municipal Board, for adjudication and a decision.”