



**NORTH YORK COMMUNITY COUNCIL
AGENDA
MEETING 3**

Date of Meeting: April 4, 2006
Time: 9:30 a.m.
Location: Council Chambers
North York Civic Centre
5100 Yonge Street
Toronto, Ontario

Enquiry: Francine Adamo
Committee Administrator
416-395-048
nycc@toronto.ca

If the North York Community Council wishes to meet in-camera (privately) a motion must be made to do so, and the reason given (*Municipal Act, 2001*).

Declarations of Interest under the *Municipal Conflict of Interest Act*

Confirmation of Minutes – (February 7, 2006)

9:45 a.m. – Items 1 and 2	2:00 p.m. – Item 36
10:00 a.m. – Items 3 and 4	2:15 p.m. – Item 37
10:15 a.m. - Items 5 -7	2:30 p.m. - Item 38
10:30 a.m. - Items 8 - 10	2:45 p.m. - Item 39
10:45 a.m. - Items 11- 13	8:00 p.m. – Item 40

Communications/Reports:

- 1.** Draft By-law – To Rename Part of the Public Highway Sheppard Square, as “Rean Drive”.

(Public Meeting under the *Municipal Act* – 9:45 a.m.)

Draft By-law from the City Solicitor

- 1(a).** Consolidated Clause 4 of North York Community Council Report 7, titled, “Renaming of Sheppard Square as Rean Drive and Dedication and Naming of City-owned lands to

Form Part of Rean Drive - Ward 24 – Willowdale” which was adopted, without amendment by City Council on June 18, 19 and 20, 2002.

2. Draft By-law to Permanently Close a Portion of the Public Highway Keswick Road and a Portion of the Public Highway Plewes Road (Ward 9 – York Centre)

(Public Meeting under the *Municipal Act* – 9:45 a.m.)

Draft By-law from the City Solicitor.

2(a). Consolidated Clause 32 of North York Community Council Report 7, titled “Sale of Surplus Property - Portion of the Keswick Road and Plewes Road Road Allowance (Ward 9 - York Centre)” which was amended by City Council on September 28, 29 and 30, 2005, by deleting staff Recommendation (1) contained in the Recommendations Section of the report (August 26, 2005) from the Chief Corporate Officer, and inserting instead the following new Recommendation (1):

“(1) the Offer to Purchase from Avvro Developments Inc. to purchase a portion of the City-owned Keswick Road road allowance located at the east terminus of Plewes Road on the east side of Keswick Road, shown as Part 1 on Sketch No. PS-2004-100b; and to purchase another portion of City-owned property at Plewes Road located at the north terminus of Keswick Road on the north side of Gilley Road, shown as Part 3 on Sketch No. PS 2004 100b (the ‘Highway’), in the amount of \$305,000.00, plus GST, and subject to retaining a permanent easement in favour of the City on Closing for existing services located on the Property, be accepted substantially on the terms and conditions outlined in the body of this report, subject to the inclusion of an additional condition that Avvro Developments Inc. release its interest, if any, in the benefit of restrictive covenants which are registered against City-owned lands located south of Sheppard Avenue West and east of the William Allen Road, and that either one of the Chief Corporate Officer or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;”.

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

(Speakers – 10:00 a.m.)

(Postponed from February 7, 2006 meeting)

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.
- 3(a).** Report (February 15, 2006) from the General Manager, Parks, Forestry and Recreation reporting as requested on a resolution that has been reached regarding injury to 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 approved on condition that the applicant implement a landscape plan, which includes planting not less than five (5) 60 mm calliper large growing tree species that are satisfactory to the General Manager, Parks, Forestry and Recreation;
 - (2) the applicant provide financial security in the form of a Letter of Credit payable to the Treasurer, City of Toronto in the amount of \$3,000.00 to cover the value of the 32 cm diameter honey locust tree, its removal and replacement cost. The funds provided shall be drawn upon to cover all costs incurred by the City of Toronto on behalf of the owner of 45 Fairchild Avenue if, in the opinion of the General Manager of Parks, Forestry and Recreation, the tree in question requires maintenance or removal and replacement as a result of construction activities at 0 Inez Court. The financial security will be held for a period of not less than three years and the full value will be returned if the General Manager, Parks, Forestry and Recreation confirms that the tree is in good condition; and
 - (3) the applicant's arborist be present during excavation within the tree protection zone, in order to minimize excavation into the root zone; and,
 - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
- 3(b).** Communication (February 13, 2006) from Paul R. Bottos, Piccin, Bottos, Barristers & Solicitors, 4370 Steeles Avenue West, Suite 201, L4L 4Y4, representing the applicant.

4. Request to Remove One City-Owned Tree – 245 Princess Avenue (Ward 23 – Willowdale)

(Speakers – 10:00 a.m.)

Report (March 15, 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 245 Princess Avenue be approved, conditional upon:
 - (a) the applicant paying all applicable costs and complying with all other requirements as set out in *City of Toronto Municipal Code, Chapter 813, Trees, Article II*;
 - (b) the applicant planting one 70 millimetre replacement tree to the satisfaction of the General Manager, Parks, Forestry and Recreation;
 - (c) the applicant furnishing a two-year renewable guarantee for the proposed tree planting in the form of a letter of credit/certified cheque for \$428.00 to cover the costs of removal, replacement and maintenance of the 70 millimetre tree planted on City property; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

5. Encroachment Agreement – 395 Fairlawn Avenue (Ward 16 – Eglinton Lawrence)

(Speakers – 10:15 a.m.)

Report (March 10, 2006) from the Manager, Municipal Licensing and Standards, North York District, considering a request by Rubinoff Fogler, agent for the owner of 395 Fairlawn Avenue, for an encroachment agreement. The encroachment consists of a concrete step, heated driveway, light fixture, sprinkler heads and landscaping located on the City road allowance.

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 dispersments, including G.S.T.;
 - (iii) One time fee of \$422.46 plus G.S.T., totalling \$452.03.

6. Encroachment Agreement – 2928 Dufferin Street (Ward 15 – Eglinton Lawrence)

(Speakers – 10:15 a.m.)

Report (March 10, 2006) from the Manager, Municipal Licensing and Standards, North York District, considering a request by 2029301 Ontario Ltd., applicant and owner of

2928 Dufferin Street, to enter into a renewal of the existing encroachment agreement covering the portion of the north wall of the building that is located partly on the City road allowance, and an encroachment agreement relating to a wall sign located on the first floor of a two-storey commercial building at the Glengrove Avenue West flankage of the building, which encroachment is located within the municipal road allowance at 2928 Dufferin Street.

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) Legal Administration Cost and Registration, plus dispersments, including G.S.T.;
 - (ii) One time fee of \$717.65, plus G.S.T., for a total of \$767.89.

7. Encroachment Agreement – 392 Cortleigh Boulevard (Ward 16 – Eglinton Lawrence)

(Speakers – 10:15 a.m.)

Report (March 10, 2006) from the Manager, Municipal Licensing and Standards, North York District, considering a request by Rachele Bober (Bronfman), applicant and owner of 392 Cortleigh Boulevard, to enter into an encroachment agreement consisting of two retaining walls on either side of the driveway situated on the City road allowance.

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) One time fee of \$422.46, plus G.S.T., totalling \$452.03.

8. Encroachment Agreement – 70 Berkindale Drive (Ward 25 – Don Valley West)

(Speakers – 10:30 a.m.)

Report (March 10, 2006) from the Manager, Municipal Licensing and Standards, North York District, considering a request by Robert Mutch, an agent for the owner, for an encroachment agreement, relating to the encroachment of heated circular concrete driveway and sprinkler heads.

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 \$435.76;

- (ii) Legal Administration Cost and Registration, plus dispersments, including G.S.T.;
- (iii) One time fee of \$422.46 plus G.S.T, totalling \$452.03.

9. Request for Fence Exemption – 31 Alderbrook Drive – (Ward 25 – Don Valley West)

(Speakers – 10:30 a.m.)

Report (February 16, 2006) from the North York District Manager, Municipal Licensing & Standards reporting on a request by the owner of 31 Alderbrook Drive, for an exemption from the City of Toronto Municipal Code, Chapter 447 - Fences.

Recommendations:

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

- 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).

10. Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of an illuminated ground sign at 5665 Yonge Street (Ward 24 – Willowdale)

(Speakers – 10:30 a.m.)

Report (March 21, 2006) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Steve Wolowich, Leasing representative for Viacom Outdoor, on behalf of the property owner and future-parking operator, for approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of an off-premise illuminated ground sign at the above noted location.

Recommendations:

It is recommended that:

- (1) the request for the variance be approved for the reasons outlined in this report; and

- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

11. North York Modern Inventory (Ward 26) – Inclusion of Four Properties on the City of Toronto Inventory of Heritage Properties (Ward 26 – Don Valley West)

(Speakers – 10:45 a.m.)

Report (February 16, 2006) from the Director, Policy and Research, City Planning Division, recommending that City Council include four 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 four 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) 6 Garamond Court (C.C.H. Canadian Building)
 - (iii) 70 Wynford Drive (Oxford University Press Building)
 - (iv) 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.

- 11(a).** Communication (March 3, 2006) from the Toronto Preservation Board advising that the Toronto Preservation Board recommended to the North York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (February 16, 2006) from the Director, Policy and Research, City Planning Division.

12. 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 30 Deloraine Avenue (Ward 23 – Willowdale)

(Speakers – 10:45 a.m.)

Report (March 8, 2006) from the Director, Transportation Services, North York District reporting on a request to permit the retention of an existing driveway widening for two vehicles at the referenced address, without reconstructing it with semi-permeable paving materials.

Recommendations:

It is recommended that the driveway widening for a second parking space at 30 Deloraine Avenue without semi-permeable materials be approved.

13. Request for a variance to the 1.0 metre side yard set-back - 29 Marianfeld Avenue (Ward 15 – Eglinton-Lawrence)

(Speakers – 10:45 a.m.)

Report (March 13, 2006) from the Director, Transportation Services, North York District, reviewing a request from the Property Owner at 29 Marianfeld Avenue for a variance to the 1.0 metre side yard set back.

Recommendations:

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

14. 40 km/h Speed Limit - Melrose Avenue, Bathurst Street to Elm Road (Ward 16 – Eglinton-Lawrence)

Report (February 9, 2006) from the Director, Transportation Services, North York District, reporting on a request to introduce a 40 km/h speed zone on Melrose Avenue, from Bathurst Street to Elm Road.

Recommendations:

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

15. Traffic Control Signals - Finch Avenue West and Beecroft Road/Greenview Avenue Road Alterations By-laws - Beecroft Road, Lorraine Drive, Kempford Boulevard and Blakeley Road (Ward 23 – Willowdale)

Report (March 8, 2006) from the Director, Transportation Services, North York District, introducing road alterations by-laws for the construction of Beecroft Road, Lorraine Drive, Kempford Boulevard and Blakeley Road, seeking approval to install traffic control signals at the intersection of Finch Avenue West and Beecroft Road/Greenview Avenue, and introducing appropriate traffic/parking regulations.

Recommendations:

It is recommended that:

- (1) Road Alteration By-laws be introduced for construction of the following roads, as illustrated in “Attachment 3”;
 - i) Beecroft Road, Kempford Boulevard to Finch Avenue West;
 - ii) Lorraine Drive, Beecroft Road to Finch Avenue West;
 - iii) Kempford Boulevard, Beecroft Road to Yonge Street; and
 - iv) Blakeley Road, Elmview Avenue to Finch Avenue West
- (2) upon completion of construction, traffic control signals be installed at the intersection of Finch Avenue West and Beecroft Road;
- (3) coincidental with the activation of the traffic control signals referenced in Recommendation (2), above:
 - i) the easterly northbound curb lane on Beecroft Road be designated for right turning vehicles only, from the southerly limit of Finch Avenue West to a point 98 metres south thereof; and
 - ii) the southerly eastbound curb lane on Finch Avenue West be designated for right turning vehicles only, buses excepted, from the westerly limit of Beecroft Road to a point 45 metres west thereof.
- (4) Schedule VIII of By-law No. 31001, of the former City of North York be amended to prohibit parking at anytime on both sides of Beecroft Road, from the southerly limit of Finch Avenue West to the northerly limit of Kempford Boulevard;
- (5) Schedule VIII of By-law No. 31001, of the former City of North York be amended by deleting the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday prohibition on the south/east sides of Lorraine Drive, from the easterly limit of Madeline Road to the southerly limit of Finch Avenue West;
- (6) Schedule VIII of By-law No. 31001, of the former City of North York be amended by deleting the No Parking Anytime prohibition on the west side of Lorraine Drive (east leg), from the southerly limit of Finch Avenue West to a point 140 metres south of the southerly limit of Finch Avenue West;
- (7) Schedule VIII of By-law No. 31001, of the former City of North York be amended by deleting the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday prohibition on the south side of Lorraine Drive (east leg), from the easterly limit of Madeline Road to a point 140 metres south of the southerly limit of Finch Avenue West;
- (8) Schedule VIII of By-law No. 31001, of the former City of North York be amended by installing a No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday

prohibition on the south side of Lorraine Drive, from the easterly limit of Madeline Road to the easterly limit of Blakeley Road;

- (9) Schedule VIII of By-law No. 31001, of the former City of North York be amended by installing a No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday prohibition on the south/east sides of Lorraine Drive (east leg), from the easterly limit of Beecroft Road to the northerly limit of Lorraine Drive;
- (10) Schedule VIII of By-law No. 31001, of the former City of North York be amended by installing a No Parking Anytime prohibition on the west side of Lorraine Drive (east leg), from the northerly limit of Lorraine Drive to the easterly limit of Beecroft Road;
- (11) Schedule VIII of By-law No. 31001, of the former City of North York be amended by installing a No Parking Anytime prohibition on the north side of Tolman Street, from the westerly limit of Yonge Street to the easterly limit of Lorraine Drive;
- (12) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by designating Beecroft Road as a through street, from the northerly limit of Kempford Boulevard to the northerly limit of Finch Avenue West;
- (13) 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 Kempford Boulevard and Beecroft Road;
- (14) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require westbound traffic to stop on Tolman Street, east of Lorraine Drive;
- (15) Schedule VI of By-law No. 31001, of the former City of North York be amended by prohibiting pedestrian crossings on Beecroft Road, between the south curb line of Kempford Boulevard and a point 30.5 metres north of the north curb line of Kempford Boulevard; and
- (16) the appropriate City officials be authorized to take whatever action is necessary to give affect to the foregoing, including the introduction in Council of any Bills that are required.

16. Request to install an irrigation supply main crossing under Jane Street for the Oakdale Golf & Country Club (Ward 7 – York West and Ward 9 – York Centre)

Report (March 10, 2006) from the Director, Transportation Services, North York District, reporting on a request from Oakdale Golf and Country Club for installation of an

irrigation supply main (150mm dia.) within the Municipal right-of-way of Jane Street just north of Troutbrook Drive.

Recommendations:

It is recommended that:

- (1) City Council approve the encroachment of an irrigation supply main within the Jane Street right-of-way, approximately 100 metres north of Troutbrooke Drive, subject to the Oakdale Golf & Country Club entering into an encroachment agreement with the municipality.
 - (a) Oakdale Golf & Country Club will 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 an insurance policy for such liability for the lifetime of the agreement in a form acceptable to the Chief Financial Officer and Treasurer;
 - (b) Oakdale Golf & Country Club will maintain the irrigation supply main at their expense and in a state of good repair satisfactory to the General Manager of Transportation Services and General Manager of Toronto Water;
 - (c) Oakdale Golf & Country Club will be financially responsible for relocating the irrigation supply main should future road maintenance or City underground infrastructure activities require its removal; and
 - (d) Oakdale Golf & Country Club accepts such additional conditions as the City Solicitor or General Manager of Transportation Services may deem necessary in the interest of the City.
- (2) The appropriate City Officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that may be required.

17. Douglas Avenue - Agreement with Bedford Glen, York Condominium Corporation No. 503 for Construction of Fences under the Bridge (Ward 16 – Eglinton-Lawrence)

Report (March 20, 2006) from the Director, Transportation Services, North York District, seeking Council authorization to enter into an agreement with York Condominium Corporation No. 503 (YCC 503) to construct and maintain two chain link fences on the north and south sides, under the Douglas Avenue bridge west of Avenue Road.

Recommendations:

It is recommended that:

- (1) staff be authorized to enter into an agreement with YCC 503 to share costs associated with the construction of two chain link fences in the municipal right-of-way along the perimeter and at grade level of the bridge located east of Avenue Road on Douglas Avenue, estimated at \$15,000.00;
- (2) The terms of the agreement between the City and YCC 503 to be the satisfaction of the General Manager of Transportation Services and the City Solicitor; and
- (3) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

18. Payment-In-Lieu of Parking - Avenue Lawrence Investment, 1507 Avenue Road (Ward 16 – Eglinton-Lawrene)

Report (March 17, 2006) from the Director, Transportation Services, North York District, seeking Council's approval to exempt the applicant from the North York Zoning By-law 7625 requirement of three (3) parking stalls, conditional upon payment-in-lieu of parking.

Recommendations:

It is recommended that:

- (1) Council exempt the applicant from the North York Zoning By-law 7625 parking requirement of three (3) parking stalls;
- (2) the applicant enter into an Agreement with the City of Toronto for payment-in-lieu of parking for three (3) parking stalls, in the amount of \$15,000.00; and,
- (3) the appropriate City Officials be directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that may be required.

19. Surplus Land Declaration and Proposed Closing of Public Lane Extending southerly from Hollywood Avenue at the Rear of Nos. 181 to 185 Willowdale Avenue (Ward 23 – Willowdale)

Report (March 14, 2006) from the General Manager, Transportation Services and the Chief Corporate Officer, recommending that the public lane at the rear of 181 to 185 Willowdale Avenue, extending southerly from Hollywood Avenue and shown as Part 1

on Sketch No. PS-2003-067 (the "Lane"), be permanently closed and declared surplus to the City's requirements.

Recommendations:

It is recommended that:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and following Council's approval of a sale of the Lane, the Lane be permanently closed as a public lane;
- (2) subject to Council's approval of a sale of the Lane, notice be given to the public of a proposed by-law to permanently close the Lane, 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) following the closure of the Lane, easements be granted to any affected utility companies for the existing utilities plant located in the Lane or, with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of the Lane, with such costs to be determined by the appropriate utility companies;
- (4) the Lane be declared surplus to the City's requirements and the Chief Corporate Officer be authorized to invite an offer to purchase the Lane from the owner of 181-183 Willowdale Avenue;
- (5) all steps necessary to comply with the City's real estate disposal process as set out in Chapter 213 of the City of Toronto Municipal Code be taken; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary to give effect thereto.

20. Proposed Closing and Surplus Land Declaration - Portion of Eglinton Avenue East Between Saddle Ridge Drive and Cranborne Avenue (Ward 34 – Don Valley East)

Report (March 10, 2006) from the General Manager, Transportation Services and the Chief Corporate Officer recommending that a portion of Eglinton Avenue East, shown as Parts 1 and 2 on Sketch No. PS-2005-065, be permanently closed as a public highway and, be declared surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and subject to City Council approving the sale of the portion of Eglinton Avenue East, between Saddle Ridge Drive and Cranborne Avenue, being part of Lots 141, 142, 146 and 147 on Plan 1995, described as Part 5 on Reference Plan 64R-1554 and shown as Parts 1 and 2 on Sketch No. PS-2005-065 (“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) following closure of the Highway, easements be granted to any affected utility companies for any existing utilities plant located in the Highway or with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of the Highway, with such costs to be determined by the appropriate utility companies;
- (4) the Highway be declared surplus to the City’s requirements, subject to the reservation of an easement for watermain purposes and the Chief Corporate Officer be authorized to list the Highway for sale on the open market;
- (5) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in City Council of any bills necessary to give effect thereto.

21. Sale of a Portion of the Dufferin Street Road Allowance Abutting 2069 Dufferin Street (Ward 15 – Eglinton-Lawrence)

Report (March 10, 2006) from the Chief Corporate Officer seeking authorization for the sale of a portion of the Dufferin Street road allowance.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from Lourenco Investments Ltd. to purchase a portion of the Dufferin Street road allowance, shown as Parts 1 and 2 on Sketch No. PS-2003-076 (the “Highway”), in the amount of approximately \$3,060.13 based on a cost of \$190.07 per square metre for an area of approximately 16.1 m² (exact area to

be determined once the purchaser deposits a Reference Plan of Survey), be accepted substantially on the terms and conditions outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City;

- (2) following the closure of the Highway, an easement be granted to the owner of 2073 Dufferin Street over the Highway for existing separate sewer and watermain connections located within the Highway that serve only 2073 Dufferin Street;
- (3) authority be granted to direct a portion of the proceeds of closing to pay the City's expenses related to the Highway and the completion of the sale transaction;
- (4) the City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

22. Proposed Naming of the Tournament Baseball Field at Bond Park in Honour of Milt Dunnell (Ward 25 – Don Valley West)

Report (March 13, 2006) from the General Manager, Parks, Forestry and Recreation seeking approval for the naming of the tournament baseball field in Bond Park in honour of Milt Dunnell.

Recommendations:

It is recommended that:

- (1) the tournament baseball field located in Bond Park be named the Milt Dunnell Field in accordance with all criteria outlined in the Naming and Renaming for Parks and Recreation Facilities and Parks Policy; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

Report (March 6, 2006) from the General Manager, Parks, Forestry and Recreation seeking approval to grant Special Occasion Beer Garden Permits to the groups listed in

Attachment 1. All conditions and requirements apply as per the City of Toronto's harmonized Municipal Alcohol Policy.

Recommendations:

It is recommended that:

- (1) permission be granted to the groups listed in Attachment 1, to hold Special Occasion Beer Garden Permit events;
- (2) the groups be required to obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario;
- (3) the groups be charged the approved \$50.00 facility permit fee and additional costs incurred by the Parks, Forestry and Recreation Division for goods and services not readily available at the site;
- (4) the groups provide proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;
- (6) the groups comply with all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event; and,
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

24. Request for Endorsement of Events for Liquor Licensing Purposes (Ward 25 – Don Valley West and Ward 33 – Don Valley East)

- 24(a).** Communication (March 3, 2006) from Ani Tuysusian, Manager, Armenian Community Centre, requesting approval for an extension to the existing liquor licence for an outdoor function on Friday, July 7, 2006, 5:00 p.m. to 2:00 a.m.; Saturday, July 8, 2006, 4:00 p.m. to 2:00 a.m. and on Sunday, July 9, 2006, 5:00 to 1:00 a.m. at the Armenian Community Centre, 50 Hallcrown Place.

25. Citizen Appointments to the Gibson House and Zion Schoolhouse Community Museum Board (Ward 23 – Willowdale and Ward 33 – Don Valley East)

Report (March 9, 2006) from the General Manager, Economic Development, Culture and Tourism, recommending to Council the appointment of a member of one citizen member to the Gibson House and Zion Schoolhouse Community Museum Board.

Recommendations:

It is recommended that:

- (1) The North York Community Council nominate the selected individual listed in Confidential Attachment No. 1 to the Gibson House and Zion Schoolhouse Community Museum Board for a term expiring on November 30, 2006, or until a successor is appointed; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(Attachment No. 1 referred to in the report has been distributed under separate confidential cover to Members of the North York Community Council and selected officials only, because the subject matter relates to personal matters about identifiable individuals including municipal or local board employees)

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

Communication (January 20, 2006) from Henry Stachelbeck, General Manager, Secretary of the Board, Leaside Gardens, regarding the appointment of community members to the Leaside Gardens Board of Management, to replace two existing members who have completed their tenure with the Board.

27. Ontario Municipal Board Decision – Information Report – 51 Franklin Avenue (Ward 23 – Willowdale)

Report (March 6, 2006) from the City Solicitor reporting on a decision of the Ontario Municipal Board.

Recommendations:

It is recommended that this report be received for information.

28. Ontario Municipal Board Decision – Variance Refusal - Information Report – 11 Brentwood Avenue (Ward 23 – Willowdale)

Report (February 6, 2006) from the City Solicitor reporting pursuant to Clause 53, Report 7 of North York Community council adopted by City of Toronto Council on September 28 – October 1, 2004, by which the City Solicitor was instructed to appear before the Ontario Municipal Board (the ‘Board’) to support a decision of the North York Panel of the Committee of Adjustment (the ‘Committee’) which refused minor variances at 11 Brentwood Avenue and reporting on the successful outcome of the hearing.

Recommendations:

It is recommended that this report be received for information.

29. Ontario Municipal Board Decision – Information Report – 64 Poyntz Avenue (Ward 23 – Willowdale)

Report (March 6, 2006) from the City Solicitor reporting on a decision of the Ontario Municipal Board pursuant to Clause 33, Report 6 of North York Community Council adopted by City of Toronto Council on July 19, 20, 21 and 26, 2005, by which the City Solicitor and Planning Staff were instructed to appear before the Ontario Municipal Board (the ‘Board’) to oppose a decision of the North York Panel of the Committee of Adjustment (the ‘Committee’) which granted minor variances at 64 Poyntz Avenue and reporting on the successful outcome of the hearing.

Recommendations:

It is recommended that this report be received for information.

30. Preliminary Report - Rezoning Application 05 212629 NNY 24 OZ & 06 104129 NNY 24 SA - Robert Stubbs - 90 Finch Avenue East (Ward 24 – Willowdale)

Report (March 14, 2006) from the Director, Community Planning, North York 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.

31. Preliminary Report - Rezoning Application 05 197171 NNY 23 OZ - Site Plan Control Application 05 197174 NNY 23 SA - Ronald M. Kanter, Gardiner Roberts LLP for Churchill Three Develco Inc. and The Incumbent and Churchwardens of the Parish of St. George's, Willowdale - Zeidler Partnership and Davidson-Langley Inc. Architects - 5350 Yonge St. and 77 Canterbury Place (Ward 23 – Willowdale)

Report (March 16, 2006) from the Director, Community Planning, North York 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.

32. Preliminary Report - Rezoning Application 05 212030 NNY 23 OZ and Site Plan Control Application 05 212034 NNY 23 SA - Tony Volpentesta of Bousfields Inc. - Brian Sickle - Page + Steele Architects - 9 McKee Avenue, 18 & 22 Norton Avenue (Ward 23 – Willowdale)

Report (March 16, 2006) from the Director, Community Planning, North York 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.

33. Preliminary Report - Official Plan Amendment & Rezoning Applications 05 211266 NNY 10 OZ - Mel Winch - Winch Planning & Development Services - 1 Canyon Avenue (Ward 10 – York Centre)

Report (March 16, 2006) from the Director, Community Planning, North York 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*.

34. Avenue Studies for 2006

Communication (March 9, 2006) from the Planning and Transportation Committee advising that the Planning and Transportation Committee on March 6, 2006, directed that the report (February 3, 2006) from the Chief Planner and Executive Director, City Planning, respecting Avenue Studies for 2006, be forwarded to:

- (1) North York Community Council for endorsement of the Avenue Road from Wilson Avenue to Lawrence Avenue West Study; and
- (2) Scarborough Community Council for endorsement of the Lawrence Avenue from Victoria Park Avenue to Birchmount Road Study.

35. Wilson Avenue – Avenue Study Proposals Report – Wilson Avenue, Between Keele Street and Bathurst Street – File 03 194996 NNY 10 TM (Wards 9 and 10 – York Centre)

Report (March 16, 2006) from the Director, Community Planning, North York District, presenting the findings and recommendations of the Wilson Avenue – Avenue Study and presenting the proposed amendments to the City of Toronto Official Plan, former City of North York Official Plan and the former City of North York Zoning By-law to implement the study recommendations and recommending that these amendments be discussed with the community prior to being considered by Council through a Public Meeting under the Planning Act.

Recommendations:

It is recommended that:

- (1) City Council receive this report and the accompanying Wilson Avenue Streetscape Study Final Design Report for information.
- (2) Staff be directed to use the Wilson Avenue Streetscape Study Final Design Report when evaluating development applications and to guide recommendations regarding streetscape improvements within the study area.
- (3) That staff undertake a community consultation session on the proposed City of Toronto Official Plan Amendment (Attachment 1), the former City of North York Official Plan Amendment (Attachment 2) and the proposed Zoning By-law Amendment (Attachment 3) and incorporate any appropriate comments into the draft documents as a result of the community consultation.
- (4) That notice for the community consultation session and the Public Meeting under the Planning Act be given to landowners and residents within 120 metres of the Study Area, and to those on the Wilson Avenue Study mailing list which was developed throughout the Study process.

(The Wilson Avenue Streetscape Study Final Design Report was circulated to Members of North York Community Council and selected officials only).

36. Final Report - Official Plan Amendment & Rezoning Application 05 104461 NNY 10 OZ - Vianovus Capital Corporation C/O Cityzen Development Group - Page + Steele Architects - 475 Patricia Avenue (Ward 10 – York Centre)

(Public Meeting under the *Planning Act* – 2:00 p.m.)

Report (March 21, 2006) from the Director, Community Planning, North York District, reviewing and recommending approval of an application to amend the Official Plan and

the Zoning By-law to permit a 10-storey residential building containing 240 dwelling units and the retention of the existing school at 475 Patricia Avenue, east of Bathurst Street.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 10.
 - (2) amend the Zoning By-law 7625 for the development site, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11.
 - (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
 - (4) Before introducing the necessary Bills to City Council for enactment, the owner shall be required to enter into a Section 37 Agreement with the City, to the satisfaction of the City Solicitor, to provide the following facilities, services and/or matters:
 - (i) a \$ 250,000.00 cash contribution for capital improvements to parks and/or community facilities in Ward 10, such as Antibes Community Centre;
 - (ii) the owner shall provide a new playscape for the existing school;
 - (iii) the existing school building will remain a school or other institutional use for a period of at least 15 years, beginning with the date that the first unit of the new residential building is occupied;
 - (iv) securing of the traffic management plan, which includes the provision of an on-site drop off and pick-up for the existing school, including access across the adjacent place of worship.
 - (5) Before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Site Plan Control Agreement under Section 41 of the Planning Act.
- 36(a).** Communication (March 17, 2006) from Elias Levy, Executive Director, Eitz Chaim Schools, submitting a petition containing 425 signatures of persons in support of the application.

37. Refusal Report - Official Plan Amendment and Rezoning and Site Plan Applications 05 125830 NNY 23 OZ - Adam Brown, Brown Dryer Karol - pancon Design Group 91, 93, 95, 97 and 99 Finch Avenue West (Ward 23 – Willowdale)

(Speakers – 2:15 p.m.)

Report (March 21, 2006) from the Director, Community Planning, North York District, recommending refusal of an application to develop 23 unit townhouse units and 2 semi-detached units at 91, 93, 95, 97 and 99 Finch Avenue West.

Recommendations:

It is recommended that City Council:

- 1) refuse the Official Plan, Zoning By-law and Site Plan Control applications in their present form.
- 2) authorize the City Solicitor and appropriate City Staff to appear before the Ontario Municipal Board to defend the position outlined in this report, as the application has been appealed to the Ontario Municipal Board.

38. Further Report – Official Plan Amendment and Rezoning Application 04 126102 NNY 24 OZ - Eugene Zaraska - Rafeal & Bigauskas Architect - 5791- 5793 Yonge Street (Ward 24 – Willowdale)

(Speakers – 2:30 p.m.)

(Postponed from November 15, 2005 meeting)

(October 28, 2005) from the Director, Community Planning, North York District, responding to North York Community Council's direction with respect to the applications to amend the Official Plan and Zoning By-law, to permit two residential towers of 22 and 24 storeys.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment 4.
- (2) modify the City of Toronto Official Plan substantially in accordance with the draft Official Plan Modification attached as Attachment 5, and authorize the City Solicitor to take any necessary actions at the Ontario Municipal Board hearing to have the modification approved.

- (3) 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 6.
- (4) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- (5) before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement to the satisfaction of the City Solicitor, to provide or fund the following facilities, services and / or matters:
 - i) a minimum of 1.5 m² per dwelling unit of private indoor amenity area to be provided on site;
 - ii) a public art program in the value of \$300,000.00;
 - iii) a contribution of \$100,000.00 for parkland improvements within Ward 24;
 - iv) secure the obligation that arrangements be made for deferred conveyance of unencumbered title to a triangular portion of land at the north-west corner of the site measuring approximately 9.0m and 27.0 m along the west and north property lines respectively for nominal consideration in the event that the City provides notice that the lands are required for public road purposes.
- (6) before introducing the necessary Bills to City Council for enactment:
 - (i) require the Owner to provide a written undertaking in a form satisfactory to the City Solicitor indicating that the Owner's appeal of the new Toronto Official Plan respecting the lands will be settled upon the necessary modification to the new Toronto Official Plan being made to reflect the Official Plan Amendment and Zoning By-law as finally approved;
 - (ii) require the owner to confirm to the satisfaction of the City Solicitor that the revised shared access arrangements have been made between the applicant and the Turnberry Court condominium to the east;
 - (iii) require the owner to confirm to the satisfaction of the City Solicitor that easement arrangement in favour of the Turnberry Court condominium for pedestrian access through the south portion of applicant's site to Yonge Street have been made;
 - (iv) require owner to confirm to the Manager, Technical Services, North York District that conditions A - 1 to 5 of his memorandum dated August 29, 2005 have been complied with.

- (7) approve in principle the site plan as indicated on the drawings listed in Attachment 7 subject to the conditions of approval as listed in Attachment 7.
- (8) 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 7 of this report have been fulfilled.
- (9) direct the City Solicitor to prepare and register the necessary site plan agreement.
- (10) authorize the Director, Community Planning, North York District to execute the agreement.
- (11) amend the Uptown Service Road and Associated Road Network Environmental Study Report in accordance with attached addendum to Exhibit 24 as attached in Attachment 8.

38(a). Request for Direction Report - Official Plan Amendment and Rezoning Application 04 126102 NNY 24 OZ and Site Plan Application 04 126118 SA NNY 24 - Menkes 5795 Yonge Street Inc. Rafeal & Bigauskas - 5793 Yonge St (Ward 24 – Willowdale)

Report (March 20, 2006) from the Director, Community Planning, North York District, providing an update on the processing of the above project and to seek Council's direction with respect to the upcoming Ontario Municipal Board hearing.

Recommendations:

It is recommended that City Council:

- (1) the City Solicitor and appropriate City staff be directed to attend the Ontario Municipal Board in support of the Official Plan, Zoning and Site Plan Applications on the basis set out in the recommendations for approval in August 31, 2005 Final Report, and the Further Report dated October 28, 2005.

39. Directions Report - Official Plan Amendment and Rezoning Application 04 194214 NNY 33 OZ – 2041098 Ontario Ltd. (El-Ad Group Canada Inc.) – 100, 102, 110 & 125 Parkway Forest Drive, 120 & 130 George Henry Boulevard, 32-50, 65 & 80 Forest Manor Road (Ward 33 – Don Valley East)

(Speakers – 2:45 p.m.)

(Report not yet available.)

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

(Speakers – 8:00 p.m.)

(Postponed from February 7, 2006 meeting)

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 forwarded a copy of the report, entitled “The City We Want – The Government We Need” to all Community Councils for public consultation and requested Community Councils to submit their comments to the Policy and Finance Committee for its meeting to be held in May 2006, in conjunction with a forthcoming report from the City Manager..

40(a). Communications submitted to previous meeting (February 7, 2006):

- (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;
- (December 14, 2005) from Brian Graff; and
- (February 6, 2006) from John Smart, President, Teddington Park Residents Association.

40(b). City Council Recommendations on Governance - Themes from Participant Consultations – March 2006, submitted by Meg Shields, Corporate Management and Policy Consultant, Strategic and Corporate Policy Division, City Manager’s Office.

40(c). Comments from Participants at the Governing Toronto Public Consultations – March 2006, submitted by Meg Shields, Corporate Management and Policy Consultant, Strategic and Corporate Policy Division, City Manager’s Office.

40(d). Communication (February 6, 2006) from Bridget and Andrew Mertens;

40(e). Communication (February 6, 2006) from Terence Doran;

40(f). Communication (February 7, 2006) from David White, Co-Chair, Direct City Action;

40(g). Communication (February 7, 2006) from George Milbrandt, Co-Chair, FoNTRA, forwarding a communication from George Milbrandt and Peter Baker, Co-Chairs, FoNTRA;

40(h). Communication (February 7, 2006) from Hilde Reis-Smart forwarding a communication (February 7, 2006) from Richard Reinert;



**NORTH YORK COMMUNITY COUNCIL
SUPPLEMENTARY AGENDA
MEETING 3**

Date of Meeting: April 4, 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

The following material relates to items already listed on the main agenda.

- 38. Further Report – Official Plan Amendment and Rezoning Application 04 126102 NNY 24 OZ - Eugene Zaraska - Rafeal & Bigauskas Architect - 5791- 5793 Yonge Street (Ward 24 – Willowdale)**

(Speakers – 2:30 p.m.)

(Postponed from November 15, 2005 meeting)

- 38(b).** Communication (March 28, 2006) from Peter J. Rothbart, Medical Director, Rothbart Pain Management Clinic

- 39. Directions Report - Official Plan Amendment and Rezoning Application 04 194214 NNY 33 OZ – 2041098 Ontario Ltd. (El-Ad Group Canada Inc.) – 100, 102, 110 & 125 Parkway Forest Drive, 120 & 130 George Henry Boulevard, 32-50, 65 & 80 Forest Manor Road (Ward 33 – Don Valley East)**

(Speakers – 2:45 p.m.)

Report (March 29, 2006) from the Director, Community Planning, North York District, reporting on an appeal by the owner on applications to amend the Official Plan and Zoning By-law to permit 2,500 additional residential units on the above noted properties and the demolition and replacement of 332 existing rental units; and because this matter has been appealed to the Ontario Municipal Board, this report recommends that the City Solicitor and appropriate staff bring forward the position outlined in the report to the hearing scheduled for June 12, 2006.

Recommendations:

It is recommended that City Council:

- (1) That the application be approved subject to the following modifications:
 - (i) The lands along the arterial frontages, Blocks A, B, C, and D as shown on Attachments 2-6, be considered a Key Development Area in the Sheppard East Subway Corridor Secondary Plan;
 - (ii) The density assigned to the lands in the recommended Key Development Areas, as shown on Attachments 2-6 (Blocks A, B, C, and D) shall be reduced from 3.9 FSI to 3.5 FSI and the number of new dwelling units shall be reduced from 2,500 to 2,200 units;
 - (iii) The maximum density on Block E, as shown on Attachment 7, the interior site fronting Forest Manor Road and Parkway Forest Drive be 1.9 FSI;
 - (iv) The following built form revisions shall be made:
 - (a) Building A6, the 36-storey tower along the Don Mills Road frontage, shall be reduced in height to minimize the adverse impact of built form on the lower density residential neighbourhood west of Don Mills Road;
 - (b) Building A1, located along the north side of George Henry Boulevard, shall be redesigned to satisfy the urban design principle of the Secondary Plan regarding street proportions. Should a point tower with base building be considered, the height should be no higher than 25 storeys;
 - (c) The bulk and massing of Buildings B1 and C1 located along the Don Mills Road frontage be reduced to improve sky views and the impact of shadows;
 - (d) Building D2, located along the eastern portion of the Sheppard Avenue frontage, shall be redesigned to satisfy the urban design principle of the Secondary Plan regarding setbacks, height and massing;
 - (e) Building D2 located along the eastern portion of Sheppard Avenue be redesigned so that the treatment of bulk and mass of the building above the 6th floor incorporate creative architectural features including terracing and detailed elevation articulation;

- (f) Building D7 be removed to enhance the visual and physical access to the existing park located between the Fire Station and 121 Parkway Forest Drive. A shared driveway with 121 Parkway Forest Drive is encouraged to reduce paved areas through the existing park.
 - (v) the site specific official plan amendment shall set out holding provisions dealing with the criteria to be fulfilled prior to enabling development in excess of 1,655 new dwelling units.
- (2) That the detailed implementing zoning by-law shall append a holding symbol “H” to the lands that deals with conditions to be met prior to the removal of the holding provision concerning traffic management matters and the construction of the proposed Community Centre and the community use space proposed along Sheppard Avenue East. The by-law shall incorporate performance standards which include, but not be limited to, regulations on building setbacks, building floorplates and envelopes, parking standards, maximum building heights, maximum gross floor areas, minimum setbacks, maximum number of dwelling units, minimum indoor recreational amenity space, open space area, and appropriate Section 37 benefits. The by-law shall also deal with performance standards for the proposed community centre including but not limited to height, setbacks and appropriate parking regulations;
- (3) Request the Ontario Municipal Board to withhold its Order on a modified proposal as set out in recommendation (1) above until the following conditions set out in (i), (ii), (iii), (iv) and (v) are satisfied:
 - (i) the implementing zoning by-law includes the provision and maintenance of the following facilities, services and matters by the Owner, at its expense, and in accordance with the agreement referred to below, as conditions to the increases in height and density to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director of City Planning, pursuant to Section 37 of the Planning Act to include but not be limited to:
 - (a) provide and maintain 332 new rental replacement units as rental housing units for a period of not less than 25 years, commencing from the date of initial occupancy of each unit, during which time no application for demolition or conversion to condominium will be made;
 - (b) replace and secure 99 of the 332 rental replacement units at affordable range rents and 233 units at the mid-range rents for a period of 10 years;

- (c) secure the rental tenure of the existing apartment buildings on the site for a minimum of 25 years from the date any by-law to permit additional development comes into effect, and agreement by the owner that during this time period no application for condominium conversion or application to demolish the existing building will be made;
- (d) secure net improvements to the rental buildings that are to be maintained and their related facilities with no pass through of related costs to the tenants. These improvements shall include but not be limited to: suitable replacements and or improvements of existing outdoor amenities such as outdoor play areas; improvements to building foyers/entrances; improvements to building moving/service areas; provision of a meeting/party rooms; interior/exterior security improvements including the underground parking garage;
- (e) provide a tenant relocation and assistance package including the right to return to a replacement unit, to the satisfaction of the Chief Planner and Executive Director of City Planning;
- (f) develop and implement an appropriate construction mitigation and communications strategy for the tenants of 100, 110 & 125 Parkway Forest Drive, 120 & 130 George Henry Boulevard, 32-50, 65 & 80 Forest Manor Road at the owner's cost and expense, to the satisfaction of the Director, Transportation Services, North York District;
- (g) the provision of new affordable housing which may include a cash-in-lieu contribution as a component of the additional housing to be constructed on the site;
- (h) That the Owner deposit a letter of credit or certified cheque in the amount of \$20,000.00 to the satisfaction of the Chief Financial Officer and Treasurer, for future traffic monitoring to be undertaken;
- (i) The timing and provision of the proposed Community Centre and Child Care facility and community space along the Sheppard Avenue East frontage;
- (j) A public art contribution in accordance with the City of Toronto's Public Art Program for a value not less than one percent of the gross construction cost of all buildings and structures on the lands;

- (k) Other community benefits, including streetscape improvements, as appropriate; and,
 - (l) Such other conditions as may be appropriate to ensure the orderly development of the lands as required by Chief Planner and Executive Director of City Planning;
- (ii) The Owner enters into one or more agreements with the City pursuant to Section 37 of the Planning Act satisfactory to Chief Planner and Executive Director of City Planning and the City Solicitor, to ensure the facilities, services and matters set forth in 3(i)(a) to (l) above, such agreement(s) be registered on title to the lands in manner satisfactory to the City Solicitor;
 - (iii) The applicants submits a final Pedestrian Level Wind Study and a comprehensive Sun/Shadow study;
 - (iv) The Owner enters into an Agreement under Section 41 of the Planning Act, such application shall deal with a detailed Phase One proposal and Master Plan approval for the balance of the lands;
 - (v) The Owner has submitted a Context Plan in accordance with the implementation policy of the Sheppard East Subway Corridor Secondary Plan;
 - (vi) The Owner has submitted a plan of subdivision application for the new road that connects Forest Manor Road to Don Mills Road;
 - (vii) The applicant shall address the concerns of the commenting departments and agencies including the requirements of Technical Services dated January 20, 2005, the Ministry of Transportation, Corridor Management Office comments dated December 21, 2004 and the TTC comments dated July 15, 2005, and any subsequent comments received from these departments and agencies on the revised application.
- (4) The City Solicitor and City staff be authorized to continue discussions with the applicant concerning appropriate public benefits that would be exchanged for the increased height and density that may be approved for the site pursuant to Section 37 of the Planning Act;
 - (5) City staff be authorized to continue discussions with the applicant concerning options to satisfy the Official Plan policy regarding the provision of new affordable housing and report back to City Council on any progress that has been made in this regard;

- (6) That appropriate staff including City Planning and Finance staff be authorized to continue discussions with the applicant concerning appropriate Development Charge Credits;
- (7) That City staff be authorized to attend the Ontario Municipal Board Hearing in support of the proposed development as revised pursuant to the recommendations above and authorize the City Solicitor and any other appropriate City staff to take such actions as necessary to give effect to the recommendations of this report.

39(a). Communication (March 23, 2006) from Liz Beecker, forwarded by Councillor Carroll, Ward 33 – Don Valley West

39(b). Communication (March 23, 2006) from Wushan Yang and Ying Zhang

ADDED ITEMS:

41. Creation of a Public Account for Donations for the Redevelopment of 1400 Avenue Road into a Community Park (Ward 16 – Eglinton-Lawrence)

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

“WHEREAS the property located at 1400 Avenue Road (Otter Loop) was owned by the TTC since 1936; and

WHEREAS the property is a triangle-shaped lot with approximately 4,202 square feet or .096 acres in size; and

WHEREAS the site was declared surplus to TTC’s operational needs on July 15, 1997; and

WHEREAS the property was prepared for sale then listed, in October 2005 with Colliers Macaulay Nicolls (Ontario) Inc.; and

WHEREAS on January 25, 2006, the Commission received a request from the local councillor, the deputy mayor, the local MPP and Post City Magazines to make Otter Loop a community park.

WHEREAS the Commission requested that staff remove the property from the market and re-circulate it to the Parks, Forestry and Recreation Division for interest; and

WHEREAS the TTC authorized staff to offer the property located at 1400 Avenue Road to the City of Toronto for use as open green space by the Parks, Forestry and Recreation Division for a nominal sum with all maintenance by City staff at no cost to the Commission; and

WHEREAS Post City Magazine has committed \$25,000 to the redevelopment of the site and many local community groups and businesses have also expressed interest in making donations; and

WHEREAS the City of Toronto needs to open an account to deposit donations and issue receipts to donors; and

WHEREAS the Parks, Forestry and Recreation division have reviewed this motion and agree with its recommendation;

NOW THEREFORE BE IT RESOLVED THAT staff be directed to open an account for donations made to the redevelopment of the property located at 1400 Avenue Road (Otter Loop).”

42. Request for Creation of Commemorative Wall to Illustrate the Evolution toward Eliminating Racism - North York Civic Centre (Ward 10 – York Centre)

Resolution submitted by Councillor Feldman, Ward 10 – York Centre, for consideration by the North York Community Council:

Moved by: Councillor Feldman

Seconded by: Councillor Stintz

“WHEREAS the City of North York was the first city in Canada to form a Mayor’s Committee on Community Race and Ethnic Relations in 1979;

WHEREAS the Committee since its inception has successfully ensured that all citizens have equal access to City services;

WHEREAS this Committee has a long history in dealing with race and youth issues;

WHEREAS the Committee initiated the proclamation of the Elder Abuse Awareness month in June;

WHEREAS the Committee proactively works with youth to prevent the escalation of violence in our City and assists these young people in becoming valuable and contributing members of society by facilitating life skills and work experience programs;

WHEREAS the Committee supports the efforts of residents and government to eliminate all forms of discrimination as identified in the Ontario Human Rights Code;

NOW THEREFORE BE IT RESOLVED THAT to ensure that the history and countless hours of hard work by many of our citizens are not forgotten a portion of the wall at the North York Civic Centre, in proximity to the Council Chamber, be designated for the creation of a commemorative wall to illustrate the evolution toward eliminating racism;

BE IT FURTHER RESOLVED THAT Seneca College Design students create the display in conjunction with a research student from York University and that in order for them to complete the project, \$1,000.00 be allocated to cover the cost of production and display.

AND BE IT FURTHER RESOLVED THAT North York Community Council adopt this motion subject to the appropriate committee or departmental input.”