

THE CITY OF TORONTO

City Clerk's Office

Minutes of the North York Community Council

Meeting 7

Tuesday, September 13, 2006

The North York Community Council met on Tuesday, September 13, 2006, in the Council Chambers, North York Civic Centre, commencing at 9:40 a.m.

Attendance:

Members were present for some or all of the time periods indicated.

	9:40 a.m. to 12:30 p.m.	2:10 p.m. to 7:50 p.m.
Councillor Augimeri, Chair	x	x
Councillor Stintz, Vice-Chair	x	x
Councillor Carroll	x	x
Councillor Feldman	x	x
Councillor Fillion	x	x
Councillor Jenkins	x	x
Councillor Li Preti	x	x
Councillor Moscoe	x	x
Councillor Pitfield	x	x
Councillor Shiner	x	x
Councillor Minnan-Wong	x	x

Councillor Augimeri, in the Chair.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the minutes of the meeting of the North York Community Council held on July 11, 2006, were confirmed.

Councillor Stintz, in the Chair.

7.1 Draft By-law – To Name the Private Street at 25 Highview Avenue and the Rear of 188 to 208 Downsview Avenue as Maurice Coulter Mews (Ward 9 – York Centre)

The North York Community Council considered a Draft By-law from the City Solicitor to name the private street at 25 Highview Avenue and the rear of 188 to 208 Downsview Avenue as Maurice Coulter Mews.

The North York Community Council also had before it, for information, Consolidated Clause 2 of North York Community Council Report 4, titled, “Naming of Proposed Private Street – Maurice Coulter Mews (Ward 9 – York Centre)” which was adopted, without amendment by City Council on May 21, 22 and 23, 2003.

The North York Community Council held a public meeting in accordance with the Municipal Act, 2001, and notice of the proposed enactment of the draft by-law was posted on the Public Notices Page of the City’s website in accordance with the requirements of the City of Toronto Municipal Code Chapter 162. No one appeared to address the North York Community Council on September 13, 2006.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council enact the draft by-law and that the necessary Bill be introduced in Council to give effect thereto.

(Report 7, Clause 2)

Councillor Augimeri, in the Chair.

7.2 Draft By-law – To Name the private lane at 134, 136 and 138 Finch Avenue West as Routliffe Lane (Ward 23 – Willowdale)

The North York Community Council considered a Draft By-law from the City Solicitor to name the private lane at 134, 136 and 138 Finch Avenue West as Routliffe Lane.

The North York Community Council also had before it, for information, Consolidated Clause 31 of North York Community Council Report 7, titled, “Naming of Proposed Private Lane at 134, 136 and 138 Finch Avenue West as Routliffe Lane (Ward 23 - Willowdale)” which was adopted, without amendment by City Council on September 28, 29 and 30, 2005.

The North York Community Council held a public meeting in accordance with the Municipal Act, 2001, and notice of the proposed enactment of the draft by-law was posted on the Public Notices Page of the City’s website in accordance with the requirements of the

City of Toronto Municipal Code Chapter 162. No one appeared to address the North York Community Council on September 13, 2006.

The North York Community Council recommended that City Council enact the draft by-law and that the necessary Bill be introduced in Council to give effect thereto.

(Report 7, Clause 3)

7.3 Draft By-law – To Name the Private Lane at 203, 205 and 215 Finch Avenue East as Garvin Mews (Ward 23 – Willowdale)

The North York Community Council considered a Draft By-law from the City Solicitor to name the private lane at 203, 205 and 215 Finch Avenue East as Garvin Mews.

The North York Community Council also had before it, for information, Consolidated Clause 9 of North York Community Council Report 5, titled, “Naming of Proposed Private Lane at 203, 205 and 215 Finch Avenue East as Garvin Mews (Ward 23 - Willowdale)” which was adopted, without amendment by City Council on June 27, 28 and 29, 2006.

The North York Community Council held a public meeting in accordance with the Municipal Act, 2001, and notice of the proposed enactment of the draft by-law was posted on the Public Notices Page of the City’s website in accordance with the requirements of the City of Toronto Municipal Code Chapter 162. No one appeared to address the North York Community Council on September 13, 2006.

The North York Community Council recommended that City Council enact the draft by-law and that the necessary Bill be introduced in Council to give effect thereto.

(Report 7, Clause 4)

7.4 Draft By-law – To Permanently Close Part of the Public Highway, Dufferin Street, abutting Premises No. 2069 Dufferin Street (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a Draft By-law from the City Solicitor to permanently close part of the public highway Dufferin Street, abutting Premises No.2069 Dufferin Street.

The North York Community Council also had before it, for information, Consolidated Clause 21 of North York Community Council Report 4, titled, “Surplus Land Declaration and Proposed Closing of a Portion of the Dufferin Street Road Allowance, abutting 2069 Dufferin Street (Ward 15 – Eglinton-Lawrence)” which was adopted, without amendment by City Council on May 17, 18 and 19, 2005.

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The North York Community Council held a public meeting in accordance with the Municipal Act, 2001, and notice of the proposed enactment of the draft by-law was posted on the Public Notices Page of the City's website in accordance with the requirements of the City of Toronto Municipal Code Chapter 162. No one appeared to address the North York Community Council on September 13, 2006.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council enact the draft by-law and that the necessary Bill be introduced in Council to give effect thereto.

(Report 7, Clause 5)

7.5 Boulevard Leasing Agreement – 630 Vaughan Road, York (Ward 15 – Eglinton Lawrence)

The North York Community Council considered a report (July 26, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of Piazza Sports Bar & Cafe, to lease 26 square metres of the municipal boulevard at 630 Vaughan Road, for the purpose of a boulevard Patio Café.

Recommendation:

It is recommended that the Boulevard Lease Agreement application be approved, subject to the following conditions:

- (a) That the applicant enter into a Boulevard Lease Agreement with the City for a Patio Café license to the satisfaction of the Executive Director, Municipal Licensing and Standards;
- (b) That the boulevard lease Patio Café license be renewable on an annual basis with the appropriate insurance in place and the required fee being paid;
- (c) That a Street Allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof;
- (d) That no claims will be made against the City by the owner(s) for damages occurring to the patio, equipment, enclosure or its elements during snow removal;
- (e) That the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing and Standards;
- (f) The licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining,

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replacing or removing any sewer, mains, culverts, drains, water pipes, pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;

- (g) In default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;
- (h) The licensee under the agreement must provide the City of Toronto with a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount not less than \$2,000,000 or such other coverage and greater amount as the City may require, and naming the City of Toronto as additional; insured party under the policy;
- (i) The licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing and Standards, keep and maintain the boulevard café enclosure and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed pursuant to the terms of the License permit;
- (j) The licensee pay an annual fee to the City of Toronto in accordance with former City of York Municipal Code Chapter 1004.12, namely \$25.00 plus \$5.50 per square metre, including G.S.T. All fees are subject to change;
- (k) The licensee will secure an endorsement on their business license for a patio from Municipal Licensing & Standards;
- (l) No music shall be played on the exterior and the patio shall be closed no later than 11:00 p.m. in strict accordance with Chapter 591 of the Toronto Municipal Code, Noise;
- (m) The patio is for temporary seasonal use only during the period between May 1st and September 30th;
- (n) Remove the fence and all furniture from the public right-of-way at the end of each season, and thereafter immediately restore the boulevard, at no cost to the City of Toronto.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council deferred consideration of the report (July 26, 2006) from the Manager, Municipal Licensing and Standards, North York District, to its first meeting in January, 2007.

(Report 5, Other Items Clause 90(a))**7.6 Boulevard Leasing Agreement – 2178 Eglinton Avenue West, York (Ward 15 – Eglinton Lawrence)**

The North York Community Council considered a report (July 26, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of Bar Spazio 3000, to lease approximately 10.0 square metres of the municipal boulevard at 2178 Eglinton Avenue West, for the purpose of a boulevard Patio Café.

Recommendation:

It is recommended that the Boulevard Lease Agreement application be approved, subject to the following conditions:

- (a) That the area be no greater than 4.1 metres in width by 2.4 metres in length with a 1.0 metre clearance to the neighbouring planter box at the westerly limit of the property;
- (b) That the applicant enter into a Boulevard Lease Agreement with the City for a Patio Café license to the satisfaction of the Executive Director Municipal Licensing & Standards;
- (c) That the Boulevard lease Patio Café license be renewable on an annual basis with the appropriate insurance in place and any required fee being paid;
- (d) That a Street Allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof;
- (e) That no claims will be made against the City by the owner(s) for damages occurring to the patio, equipment, enclosure or its elements during snow removal;
- (f) That the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing & Standards;
- (g) The licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining, replacing or removing any sewer, mains, culverts, drains, water pipes, pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;

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- (h) In default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;
- (i) The licensee under the agreement must provide the City of Toronto with a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount not less than \$2,000,000 or such other coverage and greater amount as the City may require, and naming the City of Toronto as additional insured party under the policy;
- (j) The licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing & Standards, keep and maintain the boulevard café enclosure and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed pursuant to the terms of the License permit;
- (k) The licensee pay an annual fee to the City of Toronto in accordance with former City of York Municipal Code Chapter 1004.12, namely \$25.00 plus \$5.50 per square metre, including G.S.T. All fees are subject to change;
- (l) The licensee will secure an endorsement on their business license for a patio from Municipal Licensing & Standards.
- (m) The patio is for temporary seasonal use only for the period between May 1st and September 30th;
- (n) Remove the fence and all furniture from the public right-of-way at the end of each season, and thereafter immediately restore the boulevard at no cost to the City of Toronto;
- (o) No music shall be played on the exterior and the patio shall be closed no later than 11:00 p.m. in strict accordance with Chapter 591 of the Toronto Municipal Code, Noise.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council deferred consideration of the report (July 26, 2006) from the Manager, Municipal Licensing and Standards, North York District, to its first meeting in January, 2007.

(Report 6, Other Items Clause 90(b))

7.7 Encroachment Agreement – 193 The Bridle Path, North York (Ward 25 – Don Valley West)

The North York Community Council considered a report (July 31, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 193 The Bridle Path, for an encroachment agreement. The encroachment consists of a two-wrought iron gate, four light standards, wrought iron fences, a wooden fence, hedges, concrete pad and sprinkler heads, located on the City road allowance.

Recommendation:

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 on title 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 the provision 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 \$452.03;
 - (ii) Legal Administration Cost and Registration on Title, plus disbursements, including G.S.T.;
 - (iii) One-time fee of \$422.46 plus G.S.T., totalling \$447.80.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (July 31, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 6)

7.8 Encroachment Agreement – 482 Glengarry Avenue (Ward 16 – Eglinton – Lawrence)

The North York Community Council considered a report (August 9, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 482 Glengarry Avenue, for an encroachment agreement. The encroachment consists of a brick retaining wall, armour stone walls and a light fixture located on the City road allowance.

Recommendation:

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 the 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 on title 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 the provision 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 on Title, plus disbursements, including G.S.T.;
 - (iii) One time fee of \$422.46 plus G.S.T., totalling \$452.03.

The North York Community Council also considered a communication (September 7, 2006) from Gavin Steele, applicant.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 9, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 7)

7.9 Encroachment Agreement – 251 Lord Seaton Road (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 18, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 251 Lord Seaton Road, for an encroachment agreement. The encroachment consists of three driveways, decorative wall, retaining wall, row of shrubs, a decorative boulder and sprinkler heads located on the City road allowance.

Recommendation:

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

- (1) That the owner relocate the decorative boulder at the west side of the north-east driveway to a minimum of 0.46 metre from the City sidewalk;
- (2) That the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
- (3) That the appropriate City Officials be authorized to take the necessary action to give effect thereto;

- (4) 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;
- (5) That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment, at which time the City may consider the Agreement for further extension if requested by the applicant;
- (6) The indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and the provision 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;
- (7) In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
- (8) The owner(s) pay the following fees:
 - (i) Legal Administration Cost and Registration on Title, plus disbursements, including G.S.T.;
 - (ii) One time fee of \$388.00 plus G.S.T., totalling \$415.00.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 18, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 8)

7.10 Encroachment Agreement – 88 Mildenhall Road, North York (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 25, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 88 Mildenhall Road, for an encroachment agreement. The encroachment consists of border curbs, walkway, row of cedar shrubbery and sprinkler heads located on the City road allowance.

Recommendation:

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 on title 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 the provision 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 \$452.03;
 - (ii) Legal Administration Cost and Registration on Title, plus disbursements, including G.S.T.;
 - (iii) One time fee of \$422.46, plus G.S.T., totalling \$447.80.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 25, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 9)

7.11 Encroachment Agreement – 36 Cedarwood Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 28, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 36 Cedarwood Avenue for an encroachment agreement. The encroachment consists of a wooden fence, cedar trees and sprinkler system 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) remove the three cedar trees located on the south-east corner of Cedarwood Avenue and York Mills Road.
- (2) 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;
- (3) That the appropriate City officials be authorized to take the necessary action to give effect thereto;
- (4) 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;
- (5) That the life of the agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (6) The indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and the provision 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;
- (7) In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
- (8) The owner(s) pay the following fees:
 - (i) Application Fee of \$457.81;

- (ii) Legal Administration Cost and Registration on Title, plus disbursements, including G.S.T.;
- (iii) One time fee of \$422.46 plus G.S.T., totalling \$447.81.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 28, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 10)

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

The North York Community Council considered a report (August 18, 2006) from the Manager, Municipal Licensing & Standards, North York District, reporting on a request by the owner of 346 Riverview Drive, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendation:

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

- (1) When the private property fence in the rear yard, which is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s).

Tony Lombardi, Oriole Landscaping, addressed the North York Community Council, on behalf of the applicant.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (August 18, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 11)

7.13 Request for Fence Exemption – 10 Paris Court (Ward 34 – Don Valley East)

The North York Community Council considered a report (August 29, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request

by the owner of 10 Paris Court, for exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendation:

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

- (1) When the private property fences in the rear yard, which are the subject of this application, are replaced, that they be brought into compliance with Chapter 447 or its successor by-law(s).

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (August 29, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 12)

7.14 Request for Fence Exemption – 23 Misty Crescent (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 17, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 23 Misty Crescent, for an exemption from the City of Toronto Municipal code, chapter 447 – Fences.

Recommendation:

It is recommended that the existing and proposed private property fence in the front yard at the subject property not be approved.

The North York Community Council also considered a communication (September 8, 2006) from Adam Brown, Sherman Brown Dryer Karol, on behalf of the owners of 25 Misty Crescent.

The following persons addressed the North York Community Council:

- Dr. Howard Bloom; and
- Paul Barron, Planner, of the law firm of Sherman Brown Dryer Karol, on behalf of the applicant.

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

recommendation in the Recommendation Section of the report (August 17, 2006) from the Manager, Municipal Licensing and Standards, North York District, and that the request by the owner of 23 Misty Crescent, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences, be denied.

(Report 7, Clause 13)

7.15 Request for Fence Exemption – 257 Lytton Boulevard (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (August 16, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 257 Lytton Boulevard for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendation:

It is recommended that the proposed private property fence on the south side of the rear yard at the subject property be approved and the exemption be granted, subject to the following condition:

- (1) When the proposed private property fence on the south side of the rear yard, which is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s).

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (August 16, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 14)

7.16 Request for Fence Exemption – 44 Daleside Crescent (Ward 34 – Don Valley East)

The North York Community Council considered a report (August 18, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 44 Daleside Crescent, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendation:

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

- (1) When the private property fence in the rear yard, which is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s).

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (August 18, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 15)

7.17 Request for Fence Exemption – 108 Stratford Crescent (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 21, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 108 Stratford Crescent, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendations:

It is recommended that the metal picket fence, the wooden privacy screen and existing cedar hedges in the front yard of the subject property be permitted to remain and the exemption request granted, subject to the following conditions:

- (1) When the proposed private property fence in the front yard, which is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s);
- (2) The hedges located in the front yard and abutting the metal picket fence be maintained such that the hedge height not exceed 2.5 metres.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 16)

7.18 Request for Fence Exemption – 10 Crofton Road (Ward 26 – Don Valley West)

The North York Community Council considered a report (August 16, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request

by the owner of 10 Crofton Road, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendation:

It is recommended that the existing private property fence in the rear yard at the subject property be approved and the exemption be granted.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (August 16, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 17)

7.19 Request for Fence Exemption – 52 Heathcote Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 21, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting a request by the owner of 52 Heathcote Avenue, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendation:

It is recommended that the fence and gate structure located on the west side of the subject property and running along the west property line a distance of 4.7 metres which is the subject of this exemption request be approved, subject to the following condition:

- (1) When the fence and gate structure, which is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s).

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (August 21, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 18)

7.20 Request for Fence Exemption – 54 St. Leonards Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 18, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting a request by

the owner of 54 St. Leonards Avenue, for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences.

Recommendation:

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 condition:

- (1) When the proposed private property fence in the front yard, which is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s).

Paul Kerman, Roth Kwibb Architects, addressed the North York Community Council, on behalf of the applicant.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (August 18, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 19)

7.21 Request for Fence Exemption – 172 The Bridle Path (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 15, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner(s) of 172 The Bridle Path, for an exemption from the City of Toronto Municipal Code, Chapter 447 - Fences.

Recommendation:

It is recommended that the existing private property fence in the rear yard on the north property line of the subject property be approved and the exemption be granted subject to the following condition:

- (1) When the existing tennis court enclosure in the rear yard of 170 The Bridle Path is removed, which is the subject of this application, the pool fence enclosure must be brought into compliance with Chapter 447 or its successor by-law(s).

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (August 15, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 20)

7.22 Request for Fence Exemption – 8 Valley Ridge Place (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 28, 2006) from the Manager, Municipal Licensing and Standards, North York District, reporting on a request by the owner of 8 Valley Ridge Place, for an exemption from the City of Toronto Municipal Code, Chapter 447 - Fences.

Recommendation:

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 proposed private property fence in the front yard, which is the subject of this application, is replaced, that it be brought into compliance with Chapter 447 or its successor by-law(s).
- (2) That the fence does not obstruct any sight lines.
- (3) That the owner(s) of 8 Valley Ridge Place make application for an encroachment agreement for the existing fence on the right-of-way, that runs parallel to Valley Road, which is 58.07 metres in length.

Wally Greiner, Consultant, addressed the North York Community Council, on behalf of the applicant.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 28, 2006) from the Manager, Municipal Licensing and Standards, North York District.

(Report 7, Clause 21)

7.23 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 LCD Video Screen Menu Board Ground Sign at 5955 Leslie Street (Ward 24 – Willowdale)

The North York Community Council considered a report (November 1, 2005) from the Director & Deputy Chief Building Official, North York District, reviewing and making recommendations on a request by Mark Bradley of TDL Group Corp., for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of an LCD video screen menu board ground sign at the above location.

Recommendation:

It is recommended that the request for the variance be refused for the reasons outlined in this report.

The North York Community Council also considered communications:

- (September 11, 2006) from Tony Gatti, Project Manager, Tim Hortons, Operated by The TDL Group Corp.;
- (September 13, 2006) from Tony Gatti, Project Manager, Tim Hortons, Operated by The TDL Group Corp.

Tony Gatti, Project Manager, TDL Group Corp., applicant, addressed the North York Community Council.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council recommended that City Council approve the request for a variance from the City of North York Sign By-law 30788, as amended, for the erection of a LCD video screen menu board ground sign at 5955 Leslie Street, subject to the following message, or similar message, being displayed on the proposed sign every 30 seconds:

“Safety First, whether walking or driving, please use caution.”

(Report 7, Clause 22)

7.24 Request for Approval of Variances from the former City of North York Sign By-law No 30788, as amended for the erection of five land development signs upon land which is not being developed, Sales Pavilion at 603 Sheppard Avenue East – Application No. 06-165360-ZSV (Ward 24 – Willowdale)

The North York Community Council considered a report (August 25, 2006) from the Director of Building & Deputy Chief Building Official, reviewing and making recommendations on a request by Jody Nelson of Daniels HR Corporation on behalf of Daniels HR Corporation for variances from the former City of North York Sign By-law No. 30788, as amended to permit the erection of five (5) land development signs that are not placed on the land upon which the development is taking place.

Recommendations:

It is recommended that:

- (1) the request for variances be refused for the reasons outlined in this report; and
- (2) if the approval is granted the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits.

Niall Haggart, The Daniels HR Corporation, addressed the North York Community Council, on behalf of the applicant.

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

- (1) recommended that City Council adopt staff recommendation (1) in the Recommendations Section of the report (August 25, 2006) from the Director of Building and Deputy Chief Building Official, and that the request for approval of variances from the former City of North York Sign By-law No. 30788, as amended for the erection of five (5) land development signs upon land which is not being developed, Sales Pavilion at 603 Sheppard Avenue East, be denied; and
- (2) requested that between now and the City Council meeting on September 25, 26 and 27, 2006, the applicant meet with City staff and the local Councillor in an effort to resolve the issue of signage on this site, and if an agreement is reached, a report be submitted by the Director of Building and Deputy Chief Building Official to City Council for its meeting on September 25, 26 and 27, 2006, if necessary.

(Report 7, Clause 23)

7.25 Request for Approval of Variances from the former City of North York Sign By-law No 30788, as amended for the erection of seven non-illuminated signs and two illuminated ground signs at 2500 Don Mills Road (Ward 33 – Don Valley East)

The North York Community Council considered a report (August 25, 2006) from the Director of Building & Deputy Chief Building Official, reviewing and making recommendations on a request by Trudelle Tood of Goldberg Group, on behalf of Imperial Oil Ltd. for variances from the former City of North York Sign By-law No. 30788, as amended to permit the erection of seven (7) non-illuminated and two (2) illuminated ground signs for a new Esso Gas station at the corner of Don Mills Road and Sheppard Ave. East.

Recommendations:

It is recommended that:

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

Todd Trudelle, Goldberg Group, addressed the North York Community Council, on behalf of the applicant.

On motion by Councillor Carroll, Ward 33 – Don Valley East, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 25, 2006) from the Director of Building and Deputy Chief Building Official.

(Report 7, Clause 24)

7.26 Request for approval of variances from the former City of North York Sign By-law No 30788, as amended for the erection of five wall signs at 946 Lawrence Avenue East – Application No. 06-166241-ZSV (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 25, 2006) from the Director of Building & Deputy Chief Building Official, reviewing and making recommendations on a request by Isabella Cerelli of Pride Signs Ltd. on behalf of Niot Investment Holdings for variances from the former City of North York Sign By-law No. 30788, as amended for the erection five wall signs with a total of 32.13 sq. m 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 variances, of the requirement to obtain the necessary sign permits.

The following persons addressed the North York Community Council:

- Isabella Cerelli, Pride Signs Ltd., on behalf of the applicant; and
- Terry West, President, Don Mills Residents' Inc.

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

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- (1) City Council approve the request for variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of the following three (3) wall signs at 946 Lawrence Avenue East:
 - (a) the Shoppers Drug Mart sign;
 - (b) the Shopper Drug Mart Hours of Operation sign; and
 - (c) the Post Office sign; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permits.

(Report 7, Clause 25)

7.27 Request for variances from the former Borough of East York Sign By-law No. 64-87, as amended, for the installation of three illuminated facial wall signs for a Food Basic tenant of the commercial plaza located at 45 Overlea Blvd. (Ward 26 – Don Valley West)

The North York Community Council considered a report (August 25, 2006) from the Director of Building & Deputy Chief Building Official, reviewing and making recommendations on a request by Javeid Akhtar of Signlogix for variance from the former Borough of East York By-law No. 64-87, as amended, to permit the installation of three illuminated facial wall signs for a Food Basics retail store in a commercial plaza at the above noted location.

Recommendations:

It is recommended that:

- (1) the request for variances be approved; and
- (2) the applicant be advised of the requirement of obtaining the necessary building permits.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 25, 2006) from the Director of Building and Deputy Chief Building Official.

(Report 7, Clause 26)

7.28 Request for variances from the former Borough of East York Sign By-law No. 64-87, as amended, for the installation of two illuminated facial wall signs, and one non-illuminated letter facial wall sign at 147 Laird Dr. Building E. (Ward 26 - Don Valley West)

The North York Community Council considered a report (August 24, 2006) from the Director of Building & Deputy Chief Building Official, reviewing and making recommendations on a request by Andrew Todd of World Impact Inc For Signs of Change Inc., on behalf of HMTV Canada Inc. for variances from the former Borough of East York Sign By-law No. 64-87, as amended, to permit the installation of two illuminated individual letter facial wall signs, and one non-illuminated individual letter facial wall sign at the above noted location.

Recommendations:

It is recommended that:

- (1) the request for variances be approved for the reasons outlined in this report; and
- (2) the applicant be advised of the requirement of obtaining the necessary building permits.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 24, 2006) from the Director of Building and Deputy Chief Building Official.

(Report 7, Clause 27)

7.29 Request for approval for a variance from the former City of North York Sign By-law No. 30788 as amended, for the installation of ten two sided banners at 2901 Bayview Ave (Ward 24 - Willowdale)

The North York Community Council considered a report (August 28, 2006) from the Director of Building & Deputy Chief Building Official, reviewing and making recommendations on a request by Ms. Jody Nelson on behalf of Daniels HR Corporation for variances from the former City of North York By-law No. 30788, as amended, to permit ten two sided banner signs to be installed at the above noted location.

Recommendations:

It is recommended that:

- (1) the request for variance be refused; and

- (2) should Council set aside the staff recommendation and approve the request for variances, the applicant be advised of the requirement of obtaining the necessary permits.

The North York Community Council also considered communications:

- (September 8, 2006) from Amy Stewart;
- (September 10, 2006) from Stewart Russell;
- (September 11, 2006) from Raj Bharati;
- (September 11, 2006) from Alison Gorbould, Toronto Public Space Committee; and
- (September 12, 2006) from Heather L. McDonald.

Niall Haggart, The Daniels HR Corporation, applicant, addressed the North York Community Council.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council recommended that City Council adopt Recommendation (1) in the Recommendations Section of the report (August 28, 2006) from the Director of Building and Deputy Chief Building Official, and the request for approval for a variance from the former City of North York Sign By-law No. 30788, as amended, for the installation of ten (10) two-sided banners at 2901 Bayview Avenue, be denied.

(Report 7, Clause 28)

7.30 Residential Demolition Application – 697 Oriole Parkway (Ward 16 – Eglinton Lawrence)

The North York Community Council considered a report (August 25, 2006) from the Director of Building & Deputy Chief Building Official, referring the application for a demolition permit at 697 Oriole Parkway to the North York Community Council to refuse or grant the application including any conditions, if any, to be attached to the permit., in accordance with Section 33 of the *Planning Act* and the former City of Toronto Municipal Code, Chapter 146m Article II “Demolition Control”.

Recommendations:

It is recommended that City Council either:

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- (1) refuse the application to demolish the subject residential building because there are written objections received; or,
- (2) approve the application to demolish the subject residential building and a garage with the following conditions:
 - (a) that the Owner construct and substantially complete the new buildings authorized by building Permit file number 06 149936 BLD 00 NH on the site of the building to be demolished by not later than two (2) years from the day the demolitions are commenced;
 - (b) that the failure to complete the new building within the time specified, the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty-thousand dollars (\$20,000.00) for each dwelling unit contained in the building in respect of which the demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued;
 - (c) that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;
 - (d) that all debris and rubble be removed immediately after demolition;
 - (e) that the site be maintained free of garbage and weeds, in accordance with the Municipal Code, Chapter 623-5 and 629-10, Paragraph B;
 - (f) that any holes on the property are backfilled with clean fill.

The North York Community Council also considered communications:

- (September 11, 2006) from Vincent H. Chu; and
 - (September 12, 2006) from Vincent H. Chu.
- A. Councillor Stintz, Ward 16 – Eglinton-Lawrence, moved that the North York Community Council recommend that City Council adopt Recommendation (2) in the Recommendations Section of the report (August 25, 2006) from the Director of Building and Deputy Chief Building Official and approve the application to demolish the subject residential building and garage, with the following conditions:
- (a) that the Owner construct and substantially complete the new buildings authorized by building Permit file number 06 149936 BLD 00 NH on the

site of the building to be demolished by not later than two (2) years from the day the demolitions are commenced;

- (b) that the failure to complete the new building within the time specified, the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty-thousand dollars (\$20,000.00) for each dwelling unit contained in the building in respect of which the demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued;
- (c) that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;
- (d) that all debris and rubble be removed immediately after demolition;
- (e) that the site be maintained free of garbage and weeds, in accordance with the Municipal Code, Chapter 623-5 and 629-10, Paragraph B;
- (f) that any holes on the property are backfilled with clean fill.

B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council recommend to City Council that, in the event the building permit is not issued within two (2) years, the applicant be required to file a site beautification plan prior to the demolition of the existing residential building and garage.

Motion A., moved by Councillor Stintz, **Carried.**

Motion B., moved by Councillor Moscoe, **Carried.**

(Report 7, Clause 29)

7.31 Inclusion on the City of Toronto Inventory of Heritage Properties and Intention to Designate under Part IV of the *Ontario Heritage Act* - 285 Cummer Avenue (St. John's Convalescent Hospital) – (Ward 24 – Willowdale)

The North York Community Council considered a report (May 23, 2006) from the Director, Policy and Research, City Planning Division, recommending that City Council include the property at 285 Cummer Avenue (St. John's Convalescent Hospital) on the City of Toronto Inventory of Heritage Properties and state its intention to designate the property under Part IV of the Ontario Heritage Act.

Recommendations:

It is recommended that:

- (1) City Council include the property at 285 Cummer Avenue (St. John's Convalescent Hospital) on the City of Toronto Inventory of Heritage Properties;
- (2) City Council state its intention to designate the property at 285 Cummer Avenue (St. John's Convalescent Hospital) under Part IV of the *Ontario Heritage Act*;
- (3) if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the *Ontario Heritage Act*;
- (4) if there are any objections in accordance with Section 29(7) of the *Ontario Heritage Act*, the Clerk be directed to refer the proposed designation to the Conservation Review Board; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also considered communications:

- (September 1, 2006) from the Toronto Preservation Board, advising that the Toronto Preservation Board at its meeting on August 31, 2006, recommended to the North York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the revised report (May 23, 2006) from the Director, Policy and Research, City Planning Division; and
- (September 8, 2006) from Rogers Ludgate, Silverview Community Association.

Sister Elizabeth Ann Eckert, St. John's Convent – Sisterhood of St. John the Divine, addressed the North York Community Council.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council deferred consideration of the report (May 23, 2006) from the Director, Policy and Research, City Planning Division, to its next meeting in January, 2007.

(Report 7, Other Items Clause 90(c))

Councillor Stintz, in the Chair.

7.32 Intention to Designate under Part IV of the *Ontario Heritage Act* - 2950 Keele Street (George Jackson House) (Ward 9 – York Centre)

The North York Community Council considered a report (August 29, 2006) from the Director, Policy and Research, City Planning Division, recommending that that City Council state its intention to designate the property at 2950 Keele Street (George Jackson House) under Part IV of the *Ontario Heritage Act*.

Recommendations:

It is recommended that:

- (1) City Council state its intention to designate the property at 2950 Keele Street (George Jackson House) under Part IV of the *Ontario Heritage Act*.
- (2) if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the *Ontario Heritage Act*.
- (3) if there are any objections in accordance with Section 29(7) of the *Ontario Heritage Act*, the Clerk be directed to refer the proposed designation to the Conservation Review Board; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also considered a communication (September 1, 2006) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on August 31, 2006, recommended to the North York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (August 29, 2006) from the Director, Policy and Research, City Planning Division.

The following persons addressed the North York Community Council:

- Edith Geduld, Chair, North York Community Preservation Panel, and filed a written submission; and
 - Anna Fagyas, on behalf of Landtactix.
- A. Councillor Augimeri, Ward 9 – York Centre, moved that the North York Community Council recommend that City Council adopt the staff recommendations in the Recommendations Section of the report (August 29, 2006) from the Director, Policy and Research, City Planning Division.

- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved in amendment to Motion A., by Councillor Augimeri, that the North York Community Council encourage the applicant to meet with the Manager, Heritage Preservation Services, the Director, Community Planning, North York District and the Ward Councillor, to determine what features of the building can be preserved and how these features can be incorporated into the redevelopment of the site.

Motion B., moved by Councillor Moscoe, in amendment to Motion A., by Councillor Augimeri, **Carried.**

Motion A., moved by Councillor Augimeri, as amended by Motion B., by Councillor Moscoe, **Carried.**

(Report 7, Clause 30)

Councillor Augimeri, in the Chair.

7.33 Removal of One Privately-Owned Tree - 268 St. Leonards Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 24, 2006) from the General Manager, Parks, Forestry and Recreation, reporting on an application for a permit to remove one (1) privately-owned, 85-centimetre diameter red oak tree (*Quercus rubra*) that has been filed by the agent representing the owner of 268 St. Leonards Avenue.

Recommendations:

It is recommended that:

- (1) the request for a permit to remove one (1) privately-owned red oak tree at 268 St. Leonards Avenue be denied; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also considered a communication (undated) from Mr. Ahmad Nourinejai.

The following persons addressed the North York Community Council:

- Bill Ross, representing the owner of 268 St. Leonards Avenue;
- Derek Riley; and

- Wayne Rutledge.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 24, 2006) from the General Manager, Parks, Forestry and Recreation.

(Report 7, Clause 31)

7.34 Removal of One Privately-Owned Tree - 333 Broadway Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 24, 2006) from the General Manager, Parks, Forestry and Recreation, reporting on an application for a permit to remove one (1) privately-owned, 144-centimetre diameter silver maple tree (*Acer saccharinum*) that has been filed by the agent representing the owner of 333 Broadway Avenue.

Recommendations:

It is recommended that:

- (1) the request for a permit to remove one (1) privately-owned silver maple tree at 333 Broadway Avenue be denied; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also considered communications:

- (September 12, 2006) from G. Cleckner and A.M. Heinz; and
- (September 12, 2006) from Joel D. Farber, Solicitor of the law firm of Fogler, Rubinoff, on behalf of the applicant.

The following persons addressed the North York Community Council:

- Yaghoob (Jacob) Farhadian, Pancon Engineering, on behalf of the applicant;
- Matthew Morris, Solicitor of the law firm of Fogler Rubinoff, on behalf of the applicant;
- David Andrew White, D.A. White Consulting, on behalf of the applicant; and
- Jim McQueen.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 24, 2006) from the General Manager, Parks, Forestry and Recreation.

(Report 7, Clause 32)

7.35 Removal of One Privately-Owned Tree - 395 Douglas Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (August 24, 2006) from the General Manager, Parks, Forestry and Recreation, reporting on an application for a permit to remove one (1) privately-owned, 112-centimetre diameter silver maple tree (*Acer saccharinum*) that has been filed by the agent representing the owner of 395 Douglas Avenue.

Recommendations:

It is recommended that:

- (1) the request for a permit to remove one (1) privately-owned silver maple tree at 395 Douglas Avenue be denied; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The following persons addressed the North York Community Council:

- Steve Wagman; and
- Russell Barr.

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

- (1) grant a tree injury permit for the privately-owned 112-centimetre diameter silver maple tree (*Acer saccharinum*) at 395 Douglas Avenue; and
- (2) adopt the following additional Recommendations:
 - (a) the applicant be required to submit a new site plan and survey showing the placement of the tree on this site;
 - (b) that all root and limb pruning be done by a qualified arborist;
 - (c) that bi-monthly reports on the health of the tree be submitted to Forestry staff; and
 - (d) that an inspection of this tree be conducted by Forestry staff in September of 2007.

(Report 7, Clause 33)

Councillor Stintz, in the Chair.

7.36 Request for Driveway Entrance Side Yard Variance – 58 Langholm Drive (Ward 9 – York Centre)

The North York Community Council considered a communication (August 8, 2006) from the City Clerk advising that City Council at its meeting on July 25, 26 and 27, 2006 referred Clause 32 of North York Community Council Report 6, containing the following report, back to the North York Community Council for further consideration:

“Report (June 29, 2006) from the Director, Transportation Services, North York District, reviewing a request to allow a variance to the Driveway Entrance Policy for a side yard setback of 1.0 metre and to maintain existing driveway entrance width of 7.1 metres at 58 Langholm Drive.

Recommendation:

- (1) It is recommended that the application for the variance to the driveway entrance as well as the 1.0 metre setback variance to the side yard setback policy be denied.”

Lynn Persaud, addressed the North York Community Council on September 13, 2006.

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

- (1) refuse the variance request for a 1.0 metre side yard set-back; and
- (2) approve the variance request to maintain the existing driveway width of 7.1 metres at 58 Langholm Drive.

(Report 7, Clause 34)

Councillor Augimeri, in the Chair.

7.37 Request for a Variance to the Driveway Entrance Policy - 261 Glen Park Avenue (Ward 15 - Eglinton - Lawrence)

The North York Community Council considered a report (August 24, 2006) from the Director, Transportation Services, North York District, reviewing a request to widen the existing driveway entrance at 261 Glen Park Avenue from 3.3 metres to 4.2 metres to accommodate an unobstructed access from the rear garage by creating a wider entrance and a new parking pad in front of the dwelling.

Recommendation:

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

The North York Community Council also considered a communication (August 23, 2006) from Atuan Natividad Agcaoili and Ladislav Lutar, who also submitted photographs of the subject property.

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

- (1) receive the report (August 24, 2006) from the Director, Transportation Services, North York District; and
- (2) approve the request to widen the existing entrance at 261 Glen Park Avenue from 3.3 metres to 4.2 metres.

(Report 7, Clause 35)

7.38 Payment-in-lieu of Parking - CLK Enterprises Inc. - 390 Eglinton Avenue West (Ward 16 Eglinton - Lawrence)

The North York Community Council considered a report (August 14, 2006) from the Director, Transportation Services, North York District, seeking approval to exempt the applicant from the City of Toronto Zoning By-law 438-86 requirement of eleven (11) parking stalls, conditional upon a payment-in-lieu of parking.

Recommendations:

It is recommended that:

- (1) Council exempt the applicant from the City of Toronto Zoning By-law 438-86 parking requirement of eleven (11) parking stalls;
- (2) the applicant enter into an Agreement with the City of Toronto for the payment-in-lieu of two (2) parking stalls, based upon the additional area of the proposed building expansion, which in this case amounts to \$5,000.00; and
- (3) the appropriate City Officials be requested to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 14, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 36)

7.39 Supplementary Reports – Rezoning Application 05 128488 NNY 24 OZ – Daniels HR Corporation – Kirkor Architects & Planners – 603 – 615 Sheppard Avenue East & 9-17 Rean Drive & 6-10 Dervock Crescent (Ward 24 – Willowdale)

The North York Community Council considered the following:

- report (August 14, 2006) from the Director, Community Planning, North York District, reporting back to Council on the status of the Cash-in-Lieu affordable housing discussion with the applicant.

Recommendation:

It is recommended that this report be received for information.

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- report (August 23, 2006) from the Director, Transportation Services, North York District, reporting on opportunities to prohibit northbound and southbound through traffic during the A.M. and P.M. peak hours, respectively at the intersection of Rean Drive/Hawksbury Drive/Sheppard Avenue East.

Recommendation:

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

- report (September 7, 2006) from the Director, Urban Design, City Planning Division, North York District, responding to Council's request at the June 13, 2006, North York Community Council meeting for the Director of Urban Design to report on Design Options to the September 13, 2006 meeting of North York Community Council.

Recommendation:

It is recommended that this report be received for information.

- Resolution submitted by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS Daniels HR Corporation has appealed its Rezoning and Site Plan applications to the Ontario Municipal Board, and

WHEREAS the Ontario Municipal Board Hearing is scheduled for four days commencing on October 17, 2006, and

WHEREAS it is necessary to provide the City Solicitor with instructions as to City Council's position on the appeals, and

WHEREAS to protect the existing lower density residential properties to the east of the site, to respond to the likely built form that may take place to the east, to comply with the Sheppard East Subway Corridor Secondary Plan, and to more closely follow the principles of the Southeast Bayview Node Context Plan, it is desirable to shift some of the proposed height and density on the site generally from the southeast to the southwest portion of the site, and to maintain a six storey height limited along Sheppard Avenue East,

NOW THEREFORE BE IT RESOLVED THAT:

- (1) between now and the next City Council meeting, City staff be directed to work with the applicant on a revised submission which complies with the conceptual plan and principles set out below and that appropriate City staff report directly to City Council at its meeting on September 25, 26 and 27, 2006 on the status of those discussions;

- (2) the City Solicitor be instructed to attend at the Ontario Municipal Board to oppose the owner's current rezoning and site plan applications and to support a revised proposal which generally conforms with the conceptual plan shown as Design Option A of the Further Report of the Director of Urban Design, City Planning, dated September 7, 2006, and the following principles:
- (a) maximize and regularize the open space along the eastern boundary of the site;
 - (b) minimize the impacts of massing and density off site;
 - (c) permit a 3.0 FSI;
 - (d) resolve traffic and access issues;
 - (e) achieve greater compatibility with surrounding sites; and
 - (f) maximize the number of units that have a view of the park;
- (3) the Ontario Municipal Board be requested to withhold its Order with respect to the zoning by-law amendment until the following matters are settled:
- (a) the proposal has been amended to comply with the above noted conceptual plan and principles and to address the concerns of Technical Services regarding the proposed design of the southerly access driveway from Rean Drive as outlined in their memorandum dated June 26, 2006;
 - (b) the zoning by-law amendment incorporate performance standards to reflect the revised submission including details such as parking standards, maximum building heights, maximum gross floor area, minimum building setbacks, maximum number of units, minimum unit sizes, provision of locker space, and Section 37 benefits;
 - (c) the owner register a Section 37 Agreement on title to the site satisfactory to the City Solicitor to provide for:
 - (i) the exemption of indoor private recreational amenity area from the calculation of gross floor area to a maximum of 1,122.5 square metres;
 - (ii) the depositing with the City of a letter or credit or certified cheque in the amount of \$10,000.00 to the satisfaction of the

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Chief Financial Officer and Treasurer, for future traffic monitoring to be undertaken;

- (iii) the payment to the City of funds for Section 37 benefits in an amount similar to benefits contributed by other developments in the area, such amount to be satisfactory to the City Solicitor and to be used for community centre purpose in the local area; and
 - (iv) the owner being required to provide the purchaser of each residential unit in Buildings “A”, “C” and “D” with a one year transit pass;
- (4) the Ontario Municipal Board be requested to withhold its Order with respect to site plan approval until the conditions of site plan approval as prepared by City staff based on a proposal revised in accordance with the above noted conceptual plan and principles have been satisfied, including the registration of a Site Plan Control Agreement under Section 41 of the Planning Act;
- (5) provided the applicant agrees to revise its proposal in accordance with the above noted conceptual plan and principles, the Executive Director of Technical Services be requested to report directly to the September 25, 26 and 27, 2006 City Council meeting on any resolution of its concerns with respect to the design of the southerly access driveway from Rean Drive; and
- (6) the appropriate City officials be directed and authorized to take such actions as necessary to give effect to the above.”
- consolidated Clause 24 of North York Community Council Report 6, titled “OMB Direction Report – Rezoning Application – 05 128488 NNY 24 OZ – Daniels HR Corporation – Kirkor Architects & Planners – 603-615 Sheppard Avenue East & 9-17 Rean Drive & 6-10 Dervock Crescent (Ward 24 – Willowdale)”, which was amended and adopted by City Council at its meeting held on July 25, 26 and 27, 2006;
 - communication (September 11, 2006) from Tom Jacobs;
 - communication (September 12, 2006) from Vishal Sharma;
 - communication (September 13, 2006) from Brian Damos, President, Bayview Place Tenants’ Association; and
 - communication (September 13, 2006) from Russell Carrington, President, Bayview Manor Ratepayers’ Association.

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Niall Haggart, The Daniels HR Corporation, addressed the North York Community Council on September 13, 2006.

- A. Councillor Shiner, Ward 24 - Willowdale, moved that the North York Community Council recommend that City Council:
- (1) instruct the City Solicitor to attend at the Ontario Municipal Board to oppose the owner's current rezoning and site plan applications and to support a revised proposal which generally conforms with the conceptual plan shown as Design Option A of the Further Report of the Director of Urban Design, City Planning, dated September 7, 2006, and the following principles:
 - (a) maximize and regularize the open space along the eastern boundary of the site;
 - (b) minimize the impacts of massing and density off site;
 - (c) permit a 3.0 FSI;
 - (d) resolve traffic and access issues;
 - (e) achieve greater compatibility with surrounding sites; and
 - (f) maximize the number of units that have a view of the park.
 - (2) request the Ontario Municipal Board to withhold its Order with respect to the zoning by-law amendment until the following matters are settled:
 - (a) the proposal has been amended to comply with the above noted conceptual plan and principles and to address the concerns of Technical Services regarding the proposed design of the southerly access driveway from Rean Drive as outlined in their memorandum dated June 26, 2006;
 - (b) the zoning by-law amendment incorporate performance standards to reflect the revised submission including details such as parking standards, maximum building heights, maximum gross floor area, minimum building setbacks, maximum number of units, minimum unit sizes, provision of locker space, and Section 37 benefits;
 - (c) the owner register a Section 37 Agreement on title to the site satisfactory to the City Solicitor to provide for:

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- (i) the exemption of indoor private recreational amenity area from the calculation of gross floor area to a maximum of 1,122.5 square metres;
 - (ii) the depositing with the City of a letter or credit or certified cheque in the amount of \$10,000.00 to the satisfaction of the Chief Financial Officer and Treasurer, for future traffic monitoring to be undertaken;
 - (iii) the payment to the City of funds for Section 37 benefits in an amount similar to benefits contributed by other developments in the area, such amount to be satisfactory to the City Solicitor and to be used for community centre purpose in the local area; and
 - (iv) the owner being required to provide the purchaser of each residential unit in Buildings "A", "C" and "D" with a one year transit pass;
- (3) request the Ontario Municipal Board to withhold its Order with respect to site plan approval until the conditions of site plan approval as prepared by City staff based on a proposal revised in accordance with the above noted conceptual plan and principles have been satisfied, including the registration of a Site Plan Control Agreement under Section 41 of the Planning Act;
- (4) direct and authorize the appropriate City officials to take such actions as necessary to give effect to the above; and
- (5) amend the regulatory restriction to be consistent with other regulations in the area and prohibit the through movement of traffic across Sheppard Avenue East in both directions at the intersection of Hawksbury Drive and Rean Drive, from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. upon issuance of the first building permit for construction on 603-615 Sheppard Avenue East, 9-17 Rean Drive and 6-10 Dervock Crescent.
- (6) requested that:
- (a) between now and the next City Council meeting, City staff work with the applicant on a revised submission which complies with the conceptual plan and principles outlined in the Recommendations to City Council, and that appropriate City staff report directly to City Council at its meeting on September 25, 26 and 27, 2006 on the status of those discussions; and

- (b) provided the applicant agrees to revise its proposal in accordance with the conceptual plan and principles, outlined in the Recommendations to City Council, the Executive Director of Technical Services, report directly to the September 25, 26 and 27, 2006 City Council meeting on any resolution of its concerns with respect to the design of the southerly access driveway from Rean Drive;
- (7) requested the Director, Transportation Services, North York District to:
- (a) investigate traffic control options which will allow residents of Rean Drive access to Bayview Village Mall, without creating through traffic in the community adjacent to the Mall;
 - (b) investigate the feasibility of providing dedicated turn lanes at the south leg of the intersection of Rean Drive and Sheppard Avenue East; and
 - (c) report back on the above options to the North York Community Council in the New Year, and prior to enactment of the regulatory restrictions recommended by North York Community Council to City Council for its meeting on September 25, 26 and 27, 2006.

A recorded vote on Motion A., moved by Councillor Shiner, Ward 24 – Willowdale, was as follows:

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

AGAINST: Councillors Moscoe, Filion, Jenkins, Carroll

ABSENT: Nil

Carried.

(Report 7, Clause 37)

7.40 Parking Prohibitions – Lyndale Drive (Ward 23 – Willowdale)

The North York Community Council considered a report (June 15, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the current parking restrictions on Lyndale Drive.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No parking, from 8:30 a.m. to 4:30 p.m., Monday to Friday, prohibition on the north side of Lyndale Drive, from the easterly limit of Bonnington Place to the westerly limit of Leona Drive;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime, on the north side of Lyndale Drive, from the easterly limit of Bonnington Place to a point 172 metres easterly thereof; 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.

On motion by Councillor Fillion, Ward 23 - Willowdale, the North York Community Council deferred sine die, the report (June 15, 2006) from the Director, Transportation Services, North York District.

(Report 7, Other Items Clause 90(d))

7.41 Proposed Bicycle Lanes on Roselawn Avenue, from Marlee Avenue to Salinas Court (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (August 23, 2006) from the Director, Transportation Infrastructure Management, seeking authority to install bicycle lanes on both sides of Roselawn Avenue, from Marlee Avenue to Salinas Court.

Recommendations:

It is recommended that:

- (1) bicycle lanes be approved on both sides of Roselawn Avenue, from Marlee Avenue to Salinas Court;
- (2) the former City of York Traffic By-law numbers 196-84 and 2958-94 schedule VIII, be amended to delete the No Parking Anytime prohibition on the south side of Roselawn Avenue, between Castlefield Avenue and Locksley Avenue;
- (3) the former City of York Traffic By-law numbers 196-84 and 2958-94 schedule VIII, be amended to delete the No Parking Anytime prohibition on the south side of Roselawn Avenue, between a point 90 metres west and Marlee Avenue;

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- (4) the former City of York Traffic By-law numbers 196-84 and 2958-94 schedule VIII, be amended to delete the No Parking Anytime prohibition on the north side of Roselawn Avenue, between Castlefield Avenue and Marlee Avenue;
- (5) the former City of York Traffic By-law numbers 196-84 and 2958-94 schedule IX, be amended to delete the No Stopping, 8:00 a.m to 6:00 p.m., prohibition on the south side of Roselawn Avenue, between Times Road and Danesbury Avenue;
- (6) the former City of York Traffic By-law numbers 196-84 and 2958-94 schedule IX, be amended to delete the No Stopping, 7:00 a.m to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday, prohibition on the south side of Roselawn Avenue, between Danesbury Avenue and a point 90 metres west of Marlee Avenue;
- (7) the former City of York Traffic By-law numbers 196-84 and 2958-94 schedule IX, be amended to delete the No Stopping, 7:00 a.m to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday, prohibition on the north side of Roselawn Avenue, between Castlefield Avenue and Marlee Avenue;
- (8) the former City of York Traffic By-law numbers 196-84 and 2958-94 schedule IX, be amended to delete the No Stopping, 7:00 a.m to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday, prohibition on the south side of Roselawn Avenue, between Locksley Avenue and Times Road;
- (9) the former City of York Traffic By-law number 196-84 and 2958-94 schedule IX, be amended to install a No Stopping Anytime prohibition on both sides of Roselawn Avenue, between Castlefield Avenue and Marlee Avenue;
- (10) the former City of York Traffic By-law number 1129-87 be amended by installing a 40 km/h speed limit on Roselawn Avenue from Salinas Court to Marlee Avenue; and
- (11) the appropriate City Officials be authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any Bills that are required thereto.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 23, 2006) from the Director, Transportation Infrastructure Management.

(Report 7, Clause 38)

7.42 Review of Front Yard Parking on Mount Pleasant Road (Ward 25 - Don Valley West)

The North York Community Council considered a report (April 6, 2006) from the Director, Transportation Services, North York District, reporting the results of a comprehensive review of front yard parking pads on Mount Pleasant Road.

Recommendation:

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

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council referred the report (April 6, 2006) from the Director, Transportation Services Division, North York District, back to the Director, Transportation Services, North York District to:

- (1) conduct the comprehensive review that was requested by the Community Council at its meeting on July 11, 2006; and
- (2) to bring forward recommendations to remedy the existing situation with respect to the front yard parking pads on Mount Pleasant Road, for consideration by the North York Community Council, at its first meeting in January 2007.

(Report 7, Other Items Clause 90(e))**7.43 Appeal for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code for front yard parking pad at 1055 Mount Pleasant Road (Ward 25 - Don Valley West)**

The North York Community Council considered a report (June 1, 2006) 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 construct a front yard parking pad with dimensions that are inadequate to maintain a clear and unobstructed sidewalk. 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 appeal to construct a front yard parking pad having a width of 2.3m and a length of 4.1m at 1055 Mount Pleasant Road, be denied.

Herman Pitre, addressed the North York Community Council.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council approve the request for an exemption from Chapter 400 of the former City of Toronto Municipal Code, for a front yard parking pad at 1055 Mount Pleasant Road, subject to the following conditions:

- (1) the applicant agreeing to hold the City harmless for property damage, such agreement to be to the satisfaction of the City Solicitor; and
- (2) the applicant agreeing not to park any vehicle that exceeds the length of the parking pad.

(Report 7, Clause 39)

7.44 Stopping Prohibitions - Wilson Heights Boulevard (Ward 10 - York Centre)

The North York Community Council considered a report (July 20, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the existing stopping prohibitions on Wilson Heights Boulevard.

Recommendations:

It is recommended that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping Anytime prohibition on both sides of Wilson Heights Boulevard, from the northerly limit of Wilson Avenue to the northerly limit of Wilson Heights Boulevard;
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the east side of Wilson Heights Boulevard, from the northerly limit of Wilson Avenue to the northerly limit of Wilson Heights Boulevard;
- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the west side of Wilson Heights Boulevard, from the northerly limit of Wilson Avenue to a point 60 metres north of the northerly limit of Kennard Avenue;
- (4) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the west side of Wilson Heights Boulevard, from a point 105 metres north of the northerly limit of Kennard Avenue to the northerly limit of Wilson Heights Boulevard; and

- (5) 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (July 20, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 40)

7.45 Traffic Regulations Associated with the Dedication/Assumption: The Pond Road, Sentinel Road to Shoreham Drive; Shoreham Drive, The Pond Road to Murray Ross Parkway (Ward 8 - York West)

The North York Community Council considered a report (July 19, 2006) from the Director, Transportation Services, North York District, seeking approval to introduce appropriate traffic control measures to regulate the movement of traffic on The Pond Road, Sentinel Road to Shoreham Drive, and Shoreham Drive, The Pond Road to Murray Ross Parkway.

Recommendations:

It is recommended that:

- (1) Coincidental with the dedication of The Pond Road, from Sentinel Road to Shoreham Drive, as a public highway;
 - (i) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibition on both sides of The Pond Road, from the westerly limit of Keele Street to the easterly limit of Sentinel Road;
 - (ii) 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 The Pond Road, from the westerly limit of Sentinel Road to the southerly limit of Shoreham Drive;
 - (iii) By-law No. 31878, of the former City of North York, be amended by deleting the maximum 40 km/h speed limit on The Pond Road, from the westerly limit of Keele Street to the easterly limit of Sentinel Road;
 - (iv) By-law No. 31878, of the former City of North York, be amended by prescribing a maximum 40 km/h speed limit on The Pond Road, from the westerly limit of Keele Street to the southerly limit of Shoreham Drive;

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- (v) Schedule XX of By-law No. 31001, of the former City of North York, be amended by deleting the No Heavy Truck prohibition on The Pond Road, from the westerly limit of Keele Street to the easterly limit of Sentinel Road;
 - (vi) Schedule XX of By-law No. 31001, of the former City of North York, be amended by introducing a No Heavy Truck prohibition on The Pond Road, from the westerly limit of Sentinel Road to the southerly limit of Shoreham Drive;
 - (vii) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by deleting The Pond Road as a designated through street from the westerly limit of Keele Street to the easterly limit of Sentinel Road;
 - (viii) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by introducing The Pond Road as a designated through street from the westerly limit of Keele Street to the southerly limit of Shoreham Drive;
 - (ix) that a reserved bike lane be introduced for westbound traffic on The Pond Road from the westerly limit of Sentinel Road to the southerly limit of Shoreham Drive;
 - (x) that a reserved bike lane be introduced for eastbound traffic on The Pond Road from the southerly limit of Shoreham Drive to the westerly limit of Sentinel Road;
 - (xi) Schedule XIII of By-law No. 31001, of the former City of North York, be amended by deleting the westerly northbound traffic lane designation on Sentinel Road, from The Pond Road to a point 60 metres southerly thereof, for through and left turning vehicles only;
 - (xii) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the easterly northbound traffic lane on Sentinel Road, from The Pond Road to a point 35 metres southerly thereof, for through and right turning vehicles only;
 - (xiii) that traffic control signals be installed at the intersection of Sentinel Road and The Pond Road;
- (2) Coincidental with the installation of the traffic control signals identified in recommendation 2(xii) above, that;
- (i) Schedule XIX of By-law No. 31001, of the former City of North York be amended by deleting the northbound stop control on Sentinel Road, south of the Pond Road; and

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- (ii) Schedule XIX of By-law No. 31001, of the former City of North York be amended by deleting the westbound and eastbound stop control on The Pond Road, east and west of Sentinel Road;
- (3) Coincidental with the dedication of Shoreham Drive, from The Pond Road to Murray Ross Parkway, as public highway;
 - (i) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibition on both sides of Shoreham Drive, from the westerly limit of Murray Ross Parkway to the easterly limit of Jane Street;
 - (ii) 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 Shoreham Drive, from the westerly limit of Jane Street to the westerly limit of The Pond Road;
 - (iii) By-law No. 31878, of the former City of North York, be amended by prescribing a maximum 40 km/h speed limit on Shoreham Drive, from the westerly limit of The Pond Road to the easterly limit of Murray Ross Parkway;
 - (iv) Schedule XX of By-law No. 31001, of the former City of North York, be amended by deleting the No Heavy Truck prohibition on Shoreham Drive, from the easterly limit of Jane Street to the westerly limit of Murray Ross Parkway;
 - (v) Schedule XX of By-law No. 31001, of the former City of North York, be amended by introducing a No Heavy Truck prohibition on Shoreham Drive, from the westerly limit of The Pond Road the easterly limit of Jane Street;
 - (vi) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by deleting the through street designation on Shoreham Drive, from the westerly limit of Shoreham Court to the easterly limit of Shoreham Drive;
 - (vii) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by introducing a through street designation on Shoreham Drive, from the westerly limit of Shoreham Court to the westerly limit of The Pond Road;
 - (viii) that traffic control signals be installed at the intersection of The Pond Road and Shoreham Drive;
 - (ix) that traffic control signals be installed at the intersection of Shoreham Drive and Murray Ross Parkway;

- (4) Coincidental with the installation of the traffic control signals identified in recommendations 3(viii) and 3(ix) above, that;
 - (i) Schedule XIX of By-law No. 31001, of the former City of North York be amended by deleting the southbound stop control on Murray Ross Parkway, north of Shoreham Drive; and
 - (ii) Schedule XIX of By-law No. 31001, of the former City of North York be amended by deleting the westbound and eastbound stop control on Shoreham Drive, east and west of Murray Ross Parkway;
- (5) a reserved bike lane be introduced for northbound traffic on Sentinel Road, from Finch Avenue West to a point 100 metres south of The Pond Road;
- (6) a reserved bike lane be introduced for southbound traffic on Sentinel Road, from The Pond Road to Finch Avenue West;
- (7) all traffic control devices that do not conform with the Ontario Traffic Manual, Highway Traffic Act of Ontario and the City's Signage and Pavement Marking practices be removed; and
- (8) 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (July 19, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 41)

7.46 40 km/h Speed Zone - Felbrigg Avenue (Ward 16 - Eglinton - Lawrence)

The North York Community Council considered a report (July 20, 2006) from the Director, Transportation Services, North York District, seeking approval to install a 40 km/h speed zone on Felbrigg Avenue, Avenue Road to Yonge Boulevard.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended by deleting the 40 km/h speed limit on Felbrigg Avenue, from the easterly limit of Yonge Boulevard to the westerly limit of Mason Boulevard;

- (2) By-law No. 31878, of the former City of North York, be amended by installing a 40 km/h speed limit on Felbrigg Avenue, from the easterly limit of Avenue Road to the westerly limit of Mason Boulevard; 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (July 20, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 42)

7.47 Parking Prohibitions - Cummer Avenue (Ward 24 - Willowdale)

The North York Community Council considered a report (July 20, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the parking regulations on Cummer Avenue.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the north side of Cummer Avenue between the hours of 8:00 a.m. and 6:00 p.m., Monday to Friday, from a point 91.5 metres east of the easterly limit of Yonge Street to the westerly limit of Bayview Avenue; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that are required.

On motion by Councillor Shiner, Ward 24- Willowdale, the North York Community Council recommended that City Council:

- (1) delete Recommendation (1) in the Recommendations Section of the report (July 20, 2006) from the Director, Transportation Services, North York District, and replace it with the following Recommendation instead:

“(1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the north side of Cummer Avenue between the hours of 8:00 a.m. and 6:00 p.m., Monday to

Friday, from a point 91.5 metres east of the easterly limit of Yonge Street to the westerly limit of Silverview Drive and from the easterly limit of Willowdale Avenue to the westerly limit of Bayview Avenue and between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday, from the easterly limit of Silverview Drive and the westerly limit of Willowdale Avenue”; and

- (2) authorize the appropriate City officials to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that are required.

(Report 7, Clause 43)

7.48 Traffic Control Signals - Sheppard Avenue East and Greenbriar Road (Ward 24 - Willowdale)

The North York Community Council considered a report (August 3, 2006) from the Director, Transportation Services, North York District, seeking approval to install traffic control signals at the intersection of Sheppard Avenue East and Greenbriar Road.

Recommendations:

It is recommended that:

- (1) traffic control signals be installed at the intersection of Sheppard Avenue East and Greenbriar Road; and
- (2) 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 3, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 44)

7.49 Turn Restrictions - Lord Seaton Road and Yonge Street (Ward 25 - Don Valley West)

The North York Community Council considered a report (August 3, 2006) from the Director, Transportation Services, North York District, seeking approval to prohibit northbound right turns on a red signal indication at the intersection of Lord Seaton Road and Yonge Street.

Recommendations:

It is recommended that:

- (1) northbound right turns be prohibited on a red signal display, between the hours of 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and 6:00 p.m., Monday to Friday; and
- (2) 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 3, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 45)

7.50 Parking Prohibitions - Model Avenue (Ward 10 - York Centre)

The North York Community Council considered a report (August 22, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the existing parking regulations on Model Avenue.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday prohibition on the south side of Model Avenue, from the easterly limit of Wilson Heights Boulevard to a point 76 metres east of the easterly limit of Wilson Heights Boulevard;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 7:00 a.m. to 6:00 p.m., Monday to Friday on the south side of Model Avenue, from the easterly limit of Wilson Heights Boulevard to the westerly limit of Faywood Boulevard;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 7:00 a.m. to 6:00 p.m., Monday to Friday on the north side of Model Avenue, from a point 76 metres east of the easterly limit of Wilson Heights Boulevard to the westerly limit of Faywood Boulevard; 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.

On motion by Councillor Feldman, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 22, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 46)

7.51 Parking Prohibitions - Dallimore Circle, David Dunlap Circle, Humphrey Gate and Jessie Drive (Ward 34 - Don Valley East)

The North York Community Council considered a report (August 21, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the current parking regulations on David Dunlap Circle, Dallimore Circle, Humphrey Gate and Jessie Drive.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east, north and west sides of David Dunlap Circle, from a point opposite the westerly limit of Humphrey Gate to a point 88 metres south of the southerly limit of Jessie Drive;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east and north sides of David Dunlap Circle, from the southerly limit of Jessie Drive to a point 88 metres southerly thereof;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east side of Humphrey Gate, from the southerly limit of Green Belt Drive to the northerly limit of David Dunlap Circle;
- (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the north side of Jessie Drive, from the easterly limit of Humphrey Gate to the westerly limit of Dallimore Circle;
- (5) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east, north and west sides of Dallimore Circle, from the southerly limit of Green Belt Drive to a point 39 metres south of the southerly limit of Haldenby Terrace (east leg);

- (6) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east side of Dallimore Circle, from a point 39 metres south of the southerly limit of Haldenby Terrace (east leg) to a point 59 metres north of the northerly limit of Haldenby Terrace (east Leg);
- (7) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the south side of Dallimore Circle, from a point 59 metres north of the northerly limit of Haldenby Terrace (east leg) to the easterly limit of Dallimore Circle; and
- (8) 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 47)

7.52 Pedestrian Crossing Restrictions - Steeles Avenue West at Norfinch Drive (Ward 8 - York West)

The North York Community Council considered a report (August 21, 2006) from the Director, Transportation Services, North York District, seeking approval to regulate pedestrian crossings at the intersection of Steeles Avenue West and Norfinch Drive.

Recommendations:

It is recommended that:

- (1) pedestrian crossings be prohibited on Steeles Avenue West, between the east curb line of Norfinch Drive and a point 30.5 metres west of the west curb line of Norfinch Drive; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 48)

7.53 Traffic Control Signals - Leslie Street and Coldwater Road/Farmstead Road (Ward 25 - Don Valley West)

The North York Community Council considered a report (August 21, 2006) from the Director, Transportation Services, North York District, seeking approval for the installation of traffic control signals at the intersection of Leslie Street and Coldwater Road/Farmstead Road.

Recommendations:

It is recommended that:

- (1) traffic control signals be installed at the intersection of Leslie Street and Coldwater Road/Farmstead Road; and
- (2) the appropriate City Officials be authorized and directed to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that are required.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 49)

7.54 Parking Regulations - Eglinton Valley Subdivision (Ward 26 - Don Valley West)

The North York Community Council considered a report (August 21, 2006) from the Director, Transportation Services, North York District, amending the existing parking regulations on Ferrand Drive, Windom Road, Seton Park Road and Wilket Creek Road.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the 'No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday, Except Public Holidays' prohibition on the north side of Windom Road, from the easterly limit of Ferrand Drive (west leg) to the westerly limit of Ferrand Drive (east leg);

- (2) 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, Except Public Holidays' prohibition on the north side of Seton Park Road, from the easterly limit of Ferrand Drive (west leg) to the westerly limit of Ferrand Drive (east leg);
- (3) 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, Except Public Holidays' prohibition on the south and east sides of Wilket Creek Road, from the easterly limit of Ferrand Drive (west leg) to the southerly limit of Seton Park Road;
- (4) the on-street parking meters on the west, north and east sides of Ferrand Drive, between the northerly limit of Rochefort Drive (west leg) and the northerly limit of Rochefort Drive (east leg), currently operational between the hours of 8:00 a.m. and 6:00 p.m., Monday to Friday, except public holidays, be removed and the associated parking restrictions be deleted, and that the Toronto City Solicitor be directed to prepare the appropriate Bills; and
- (5) 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 50)

7.55 40 km/h Speed Zone – Wigan Crescent (Ward 10 – York Centre)

The North York Community Council considered a report (August 21, 2006) from the Director, Transportation Services Division, North York District, seeking approval to install a 40 km/h speed zone on Wigan Crescent.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended by installing a 40 km/h speed limit on Wigan Crescent, from De Quincy Boulevard to King High Avenue; and

- (2) the appropriate City Officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 51)

7.56 Removal of Turn Restriction – Wilson Heights Boulevard and Wilson Heights Boulevard Diversion Road (Ward 10 – York Centre)

The North York Community Council considered a report (August 21, 2006) from the Director, Transportation Services, North York District, seeking approval to remove the turn restriction at the intersection of Wilson heights Boulevard and Wilson Heights Boulevard Diversion Road.

Recommendations:

It is recommended that:

- (1) Schedule XV of By-law No. 31001, of the former City of North York, be amended to delete the westbound left turn restriction, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., at Wilson Heights Boulevard and Wilson Heights Boulevard Diversion Road; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 52)

7.57 40 km/h Speed Limit – York Downs Drive, Armour Boulevard to Raeburn Avenue (Ward 10 – York Centre)

The North York Community Council considered a report (August 22, 2006) seeking approval to reduce the speed limit on York Downs Drive.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on York Downs Drive to 40 km/h, from the easterly limit of Armour Boulevard to the southerly limit of York Downs Drive; and
- (2) 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 22, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 53)

Councillor Stintz, in the Chair.

7.58 Westbound Right Turn Lane Designation – Sentinel Road at Sheppard Avenue West (Ward 9 – York Centre)

The North York Community Council considered a report (August 23, 2006) from the Director, Transportation Services, North York District, seeking approval to designate the traffic movements on Sheppard Avenue West at Sentinel Road.

Recommendations:

It is recommended that:

- (1) the northerly westbound curb lane on Sheppard Avenue West be designated for right turning vehicles only, buses excepted, from Sentinel Road to a point 50 metres easterly thereof; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 23, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 54)

Councillor Augimeri, in the Chair.

7.59 Installation of Neighbourhood Identification Signage - Don Mills Community (Ward 26 - Don Valley West) (Ward 25 Don Valley West) (Ward 34 - Don Valley East)

The North York Community Council considered a report (August 24, 2006) from the Director, Transportation Services, North York District, reporting on a request from representatives of the Don Mills Residents' Association to install five Neighbourhood Identification Signs and seeking Council authorization to enter into an appropriate agreement.

Recommendations:

It is recommended that:

- (1) staff be authorized to enter into an agreement, with representatives of the Don Mills Residents' Association, subject to all terms and conditions associated with the Identification and Directional Road Signage Policy; and
- (2) 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.

Terry West, President, Don Mills Residents' Inc., addressed the North York Community Council.

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

- (1) authorize City staff to enter into an agreement with representatives of the Don Mills Residents' Association, subject to all terms and conditions associated with the Identification and Directional Road Signage Policy, to install the Don Mills Community Signs at the following locations:
 - (a) east side of Leslie Street, north of Eglinton Avenue East;
 - (b) east side of Don Mills Road, north of Eglinton Avenue East;
 - (c) west side of Don Mills Road, north of York Mills Road; and
 - (d) north side of Lawrence Avenue East, west of the Banbury Road.

- (2) approve in principle the Don Mills Community Sign to be located on the north side of Lawrence Avenue East, west of the Don Valley Parkway southbound off ramp, subject to further consultation by the Director, Transportation Services Division, North York District, with the local Councillor and the community association; and
- (3) authorize the appropriate City officials to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

(Report 7, Clause 55)

7.60 Parking Prohibitions – Arrowstook Road (Ward 24 – Willowdale)

The North York Community Council considered a report (August 22, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the parking regulations on Arrowstook Road.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the north side of Arrowstook Road, between the hours of 9:00 a.m. and 6:00 p.m., Monday to Friday, from the westerly limit of Ambrose Road to a point 25 metres westerly thereof; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 22, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 56)

7.61 Parking Prohibitions – Haddington Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (August 22, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the current parking regulations on Haddington Avenue.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on both sides of Haddington Avenue, from the easterly limit of Elm Road to the westerly limit of Jainey Place;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the south side of Haddington Avenue, from the easterly limit of Elm Road to the westerly limit of Esgore Drive;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the north side of Haddington Avenue, from the easterly limit of Elm Road to the westerly limit of Jainey Place; and
- (4) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction of any Bills that are required.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 22, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 57)

7.62 40 km/h Speed Limit – Laurentia Crescent and Touraine Avenue (Ward 10 – York Centre)

The North York Community Council considered a report (August 24, 2006) from the Director, Transportation Services, North York District seeking approval to reduce the speed limit on Laurentia Crescent and Touraine Avenue.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Laurentia Crescent to 40 km/h, from the southerly limit of Wilson Avenue to the southerly limit of Laurentia Crescent;

- (2) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Touraine Avenue to 40 km/h, from the easterly limit of Champlain Boulevard to the westerly limit of Laurentia Crescent; 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 24, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 58)

7.63 Parking Prohibitions – Goddard Street (Ward 10 – York Centre)

The North York Community Council considered a report (August 25, 2006) from the Director, Transportation Services, North York District seeking approval to amend the existing parking regulations on Goddard Street.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the west side of Goddard Street, from the northerly limit of Sheppard Avenue West to the southerly limit of Cocksfield Avenue; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 25, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 59)

7.64 Extension of Overnight On-Street Permit Parking hours on Unsworth Avenue, between Lawrence Avenue West and the north end of Unsworth Avenue (Ward 16 Eglinton - Lawrence)

The North York Community Council considered a report (August 25, 2006) from the Director, Transportation Services, North York District, reporting on the extension of overnight on-street permit parking hours of Unsworth Avenue, between Lawrence Avenue West and the north end of Unsworth Avenue, from 12:01 a.m. to 7:00 a.m., 7 days a week, to 12:01 a.m. to 10:00 a.m., 7 days a week..

Recommendations:

It is recommended that:

- (1) Overnight on-street permit parking hours of operation on Unsworth Avenue, between Lawrence Avenue West and the north end of Unsworth Avenue, be extended from 12:01 a.m. to 10:00 a.m., 7 days a week to 12:01 a.m. to 7:00 a.m., 7 days a week;
- (2) Part P of Schedule XXVI (Permit Parking), of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be introduced to incorporate Unsworth Avenue, between Lawrence Avenue West to the north end of Unsworth Avenue;
- (3) the existing 60 minute Permitted Parking regulation, between 8:00 a.m. to 6:00 p.m., Monday to Friday, on both sides of Unsworth Avenue, between Lawrence Avenue West and the north end of Unsworth Avenue, be rescinded;
- (4) parking be permitted for a maximum of 60 minutes, between 10:00 a.m. to 6:00 p.m., Monday to Friday, on both sides of Unsworth Avenue, between Lawrence Avenue West and the north end of Unsworth Avenue; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 25, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 60)

7.65 Poll Results – Request for the Introduction of Overnight On-Street Permit Parking on Belvidere Avenue, between Oakwood Avenue and Glenora Avenue (Ward 15 Eglinton - Lawrence)

The North York Community Council considered a report (August 29, 2006) from City Clerk, reporting on the results of a resident poll to determine support for the introduction of Overnight On-Street Permit Parking on Belvidere Avenue, between Oakwood Avenue and Glenora Avenue.

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council approve the request for the introduction of overnight on-street permit parking on Belvidere Avenue, between Oakwood Avenue and Glenora Avenue.

(Report 7, Clause 61)

7.66 Proposed Naming of a New Junior Soccer Field in honour of Mr. Remberto Navia - (Ward 8 - York West)

The North York Community Council considered a report (August 18, 2006) from the General Manager, Parks, Forestry and Recreation, seeking Council approval for the naming of a new junior soccer field in honour of Mr. Remberto Navia.

Recommendations:

It is recommended that:

- (1) The new junior soccer field which will be erected at 4700 Keele Street (York University) on the western portion of the site above the top-of-bank be named in honour of Remberto Navia;
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 18, 2006) from the General Manager, Parks, Forestry and Recreation.

(Report 7, Clause 62)

7.67 Assumption of Services – Subdivision owned by Don-Greenbelt Developments Inc., Plan 66M-2389, Subdivision File UDSB-1231 – 45 Green Belt Drive (Ward 34 – Don Valley East)

The North York Community Council considered a report (August 21, 2006) from the Acting Director, Development Engineering, advising Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2389, dated October 11, 2002, between Don-Greenbelt Developments Inc. and the City of Toronto are in the required condition to be assumed by the City.

Recommendation:

It is recommended that:

- (1) An assumption by-law be passed to assume municipal services in Subdivision Plan 66M-2389; and
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also considered a communication (September 6, 2006) from the Acting Manager, Development Engineering, North York District, requesting the withdrawal of the item.

On motion by Councillor Minnan-Wong, Ward 34 - Don Valley East, the North York Community Council withdrew the report (August 21, 2006) from the Acting Director, Development Engineering, North York District, on the recommendation of the Acting Director, Development Engineering, North York District.

(Report 7, Other Items Clause 90(f))

7.68 Assumption of Services – Subdivision owned by 1255028 Ontario Inc. Plan 66M-2390, Subdivision File UDSB-1246 – Jinnah Court (Ward 34 – Don Valley East)

The North York Community Council considered a report (August 21, 2006) from the Acting Director, Development Engineering, advising Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2390, dated September 11, 2002, between 1255028 Ontario Inc. and the City of Toronto are in the required condition to be assumed by the City.

Recommendations:

It is recommended that:

- (1) An assumption by-law be passed to assume municipal services in Subdivision Plan 66M-2390; and
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Acting Director, Development Engineering.

(Report 7, Clause 63)

7.69 Assumption of Services – Subdivision owned by Heritage-Willow Estates Ltd. - Plan 66M-2351, Subdivision File UDSB-1241 – Doverwood Court (Ward 24 – Willowdale)

The North York Community Council considered a report (August 21, 2006) from the Acting Director, Development Engineering, advising Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2351, dated August 29, 2000, between Heritage-Willow Estates Ltd. and the City of Toronto are in the required condition to be assumed by the City.

Recommendation:

It is recommended that:

- (1) An assumption by-law be passed to assume municipal services in Subdivision Plan 66M-2351; and
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Acting Director, Development Engineering.

(Report 7, Clause 64)

7.70 Assumption of Services – Subdivision owned by Wittington Properties Ltd. - Plan 66M-2354, Subdivision File UDSB-1223 – Yonge St. and Avondale Ave. (Ward 23 – Willowdale)

The North York Community Council considered a report (August 21, 2006) from the Acting Director, Development Engineering, advising Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2354, dated October 16, 2000, between Wittington Properties Ltd. and the City of Toronto are in the required condition to be assumed by the City.

Recommendations:

It is recommended that:

- (1) An assumption by-law be passed to assume municipal services in Subdivision Plan 66M-2354; and
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Acting Director, Development Engineering.

(Report 7, Clause 65)

7.71 Designation of Fire Routes in the City of Toronto, North York Community Council area

The North York Community Council considered a report (July 10, 2006) from the District Chief, Fire Prevention – North Command, Fire Services, seeking Council 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.

Recommendation:

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) 1000 Murray Ross Parkway

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

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (July 10, 2006) from the District Chief, Fire Prevention – North Command, Fire Services.

(Report 7, Clause 66)

7.72 Sales of Surplus Parcel of Vacant Land – 2 Kenton Drive (Ward 23 – Willowdale)

The North York Community Council considered a report (August 16, 2006) from the Chief Corporate Officer, seeking authorization for the sale of the City-owned parcel of vacant land, 2 Kenton Drive.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from Neil Alfred and Glenda Ferguson-Alfred to purchase the City-owned property known as 2 Kenton Drive and described as being Part of Lot 91, Plan 4311 and designated as Part 14 on Plan 64R-1390, (the “Property”), in the amount of \$280,000.00 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) authority be granted to direct a portion of the proceeds of closing to pay the City’s expenses related to the Property and the completion of the sale transaction;
- (3) the City Solicitor be authorized to complete the transaction(s) 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
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 16, 2006) from the Chief Corporate Officer.

(Report 7, Clause 67)

7.73 Sales of Surplus Property – 514 Hounslow Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (August 23, 2006) from the Chief Corporate Officer, seeking the authorization of the sale of 514 Hounslow Avenue.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from 5001.Com Inc. to purchase 514 Hounslow Avenue, being Part 6 on Registered Plan 66R-22475 (the “Property”), in the amount of \$342,000.00 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) authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Property and the completion of the sale transaction;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing 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
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 23, 2006) from the Chief Corporate Officer.

(Report 7, Clause 68)

7.74 Sales of Surplus Property – Public lane Located East of Yonge Street, Extending South from Byng Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (August 24, 2006) from the Chief Corporate Officer, seeking the authorization of the sale of the City-owned public lane located east of Yonge Street, extending south from Byng Avenue.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from the owner of 5431 and 5435 Yonge Street, Eminent Construction Limited, to purchase the City-owned property known as the public lane located east of Yonge Street, extending south from Byng Avenue, shown as Part 1 on the attached Sketch No. PS-2005-003 and described as Public Lane on Plan 2282, Township of York, lying south of Byng Avenue (the "Lane"), in the amount of \$400,000.00, 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) authority be granted to direct a portion of the proceeds of closing to pay the City's expenses related to the Lane and the completion of the sale transaction;
- (3) the City Solicitor be authorized to complete the transaction(s) 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
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 24, 2006) from the Chief Corporate Officer.

(Report 7, Clause 69)

Councillor Stintz in the Chair.

7.75 Request for Endorsement of Events for Liquor Licensing Purposes (Ward 33 – Don Valley East) (Ward 9 – York Centre) and (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered:

- Communication (August 25, 2006) from Eliane Habbaky, requesting that the Armenian Film Festival named the Pomegranate Film Festival, to be held on Saturday, September 23, 2006 from 7:00 p.m. to 1:00 a.m. under an outdoor tent and indoors in the lobby of the Armenian Community Centre, 45 Hallcrown Place, be declared an event of municipal and/or community significance.
- Communication (August 23, 2006) from David Keddy, advising a reception will hosted by Deloitte & Touche, taking place on Thursday, September 21, 2006 from 11:00 a.m. to 7:00 p.m. at Parc Downsview Park (1-35 Carl Hall Road), Toronto.

- Motion submitted by Councillor Li Preti, regarding the Latin American Festival of La Puposa, rescheduled to take place on September 23 and 24, 2006, at Caledonia Park.

- A. Councillor Augimeri, Ward 9 – York Centre, moved that the North York Community Council recommend that City Council, for liquor licensing purposes, endorse the action of the North York Community Council, since the events take place prior to City Council’s meeting, in having advised the Alcohol and Gaming Commission:
 - (1) that it has no objection to the following events taking place:
 - (a) Armenian Film Festival named the Pomegranate Film Festival, taking place on Saturday, September 23, 2006 from 7:00 p.m. to 1:00 a.m., at the American Community Centre, 45 Hallcrown Place, Toronto; and
 - (b) Reception hosted by Deloitte & Touche, taking place on Thursday, September 21, 2006 from 11:00 a.m. to 7:00 p.m. at Parc Downsview Park (1-35 Carl Hall Road), Toronto.

- B. Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council recommend Community Council, for liquor licensing purposes, endorse the action of the North York Community Council, since the events takes place prior to City Council’s meeting, in having advised the Alcohol and Gaming Commission that it has no objection to the change of date of the Latin American Festival of La Puposa, rescheduled to take place on September 23 and 24, 2006, at Caledonia Park.

Motion A., moved by Councillor Augimeri, **Carried.**

Motion B., moved by Councillor Li Preti, **Carried.**

Councillor Augimeri, in the Chair.

(Report 7, Clause 1)

7.76 Information Report – Site Plan Control Application - 05 166083 NNY 15 SA – 108 Stayner Avenue (Ward 15 – Eglinton–Lawrence)

The North York Community Council considered a report (August 8, 2006) from the City Solicitor, reporting on a decision of the Ontario Municipal Board approving Provisional Consents, Zoning By-law Amendment and Site Plan Approval as agreed to by City Council.

Recommendation:

It is recommended that this report be received for information.

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

(Report 7, Other Items Clause 90(g))

7.77 Preliminary Report – Rezoning Application 06 164567 NNY 23 OZ – Site Plan Control Application 06 164562 NNY 23 SA – Dickinson + Hicks Architects – 112 Spring Garden Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (August 22, 2006) from the Director, Community Planning, North York District, providing preliminary information on the above-noted applications to permit the construction of an addition to an existing place of worship located at 112 Spring Garden Avenue and seeking 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 metres of the site; and
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

The North York Community Council approved the staff recommendations in the Recommendations Section of the report (August 22, 2006) from the Director, Community Planning, North York District.

(Report 7, Other Items Clause 90(h))

7.78 Request for Direction Report – Site Plan Control Application 06 122446 NNY 24 SA – 24 & 26 Rean Drive – Daniels HR Corporation (Ward 24 – Willowdale)

The North York Community Council considered:

- report (August 17, 2006) from the Director, Community Planning, North York District, advising North York Community Council of a referral to the Ontario Municipal Board of the Site Plan Control application and 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. This application has also been referred by the local Councillor to City Council for a decision through North York Community Council in accordance with By-law 483-2000.

Recommendations:

It is recommended that City Council:

- (1) Instruct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board to support approval of Site Plan Control Application 06 122446 NNY 24 SA, subject to the Notice of Approval Conditions contained in Attachment 5.
 - (2) The Ontario Municipal Board be requested to withhold its Order until the Site Plan Control Agreement has been executed and registered on title.
 - (3) Direct the City Solicitor to prepare and register the necessary Site Plan Control agreement;
 - (4) Authorize the Director, North York Community Planning to execute the agreement.
- the following Resolution submitted by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS the applicant is requesting to build a temporary sales pavilion on the south west corner of Rean Drive and Sheppard Avenue East, and

WHEREAS a significant number of trees could be impacted by the proposal, and

WHEREAS the applicant has been requested to submit an arborist report, tree preservation plan, permit application and fees as the site plan shows that a total of sixteen (16) trees may require protection under the private tree by-law, and

WHEREAS the applicant has not responded to the request of City staff to submit this information, and

WHEREAS the site plan indicates signage which is not permitted on this site, and

WHEREAS no application has been received to permit these signs,

NOW THEREFORE BE IT RESOLVED THAT every effort be made to resolve all outstanding issues on the site prior to the next City Council meeting on September 25, 26 and 27, 2006 and that the Director of Community Planning, North York District, report directly to City Council at its meeting on September 25, 26 and 27, 2006 if issues are resolved to the satisfaction of City Planning staff and the local Councillor, and

BE IT FURTHER RESOLVED THAT if these issues are not resolved, the City Solicitor and City Planning staff, in consultation with the local Councillor, continue to work toward a resolution and if no resolution can be found, that the City Solicitor attend the OMB in opposition, and if necessary, hire outside consultants.”

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

- (1) recommended that City Council:
 - (a) not adopt the report (August 17, 2006) from the Director, Community Planning, North York District; and
 - (b) authorize the City Solicitor to attend the Ontario Municipal Board hearing, in opposition, and if necessary, hire outside consultants, if no resolution can be found.
- (2) requested that:
 - (i) every effort be made to resolve all outstanding issues on the site prior to the next City Council meeting on September 25, 26 and 27, 2006 and that the Director of Community Planning, North York District, report directly to City Council at its meeting on September 25, 26 and 27, 2006 if issues are resolved to the satisfaction of City Planning staff and the local Councillor, and
 - (ii) if the outstanding issues are not resolved, the City Solicitor and City Planning staff, in consultation with the local Councillor, continue to work toward a resolution.

(Report 7, Clause 70)

7.79 Request for Directions Report – Site Plan Control Application - 06 119651 NNY 25 SA – Junior Academy – Meg Graham, Superkul Inc., Architect – 2454 Bayview Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 23, 2006) from the Director, Community Planning, North York District, reporting on the processing of the application for Site Plan Control, and its referral by the applicant to the Ontario Municipal Board. In the event a Board hearing is convened prior to resolution of outstanding site plan issues, this report seeks Council's direction on whether the City Solicitor should be directed to attend the Ontario Municipal Board to support the position outlined in this report.

Recommendations:

It is recommended that:

- (1) the Site Plan Control application not be approved in its current form;
- (2) Council authorize the City Solicitor and appropriate City Staff to attend the Municipal Board and oppose the application for the reasons outlined in this report; and
- (3) Council authorize City Staff to continue working with the applicant and the Ward Councillor to revise the proposal to address issues outlined in this report.

The North York Community Council also considered a communication (September 12, 2006) from Phillip A. Russel, addressed to Councillor Jenkins, forwarding a petition signed by 43 area residents, in opposition to the construction and operation of a school at 2454 Bayview Avenue.

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

- (1) adopt the staff recommendations in the Recommendations Section of the report (August 23, 2006) from the Director, Community Planning, North York District; and
- (2) direct the City Solicitor and City Planning staff to not oppose any application for party status or other standing at the Ontario Municipal Board by the York Mills Ratepayers Association.

(Report 7, Clause 71)

7.80 Request to Amend Subdivision Agreement – 21 Legacy Court, Lot 1, RP 66M-2331 – UD 10 AME (UDOZ-94-33 and UDSB-1221) (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 23, 2006) from the Director, Community Planning, North York District, seeking Council's direction in response to a request from the owners of the subject lands to amend the existing Subdivision Agreement (Schedule H) as it relates to Lot 1 on the attached plan (21 Legacy Court).

Recommendations:

It is recommended that City Council:

- (1) authorize the City Solicitor to amend the subdivision agreement governing Lot 1, Registered Plan 66M-2331, former City of North York, to grant the request of the owners of the subject lands to alter the permitted building envelope by constructing a one-storey garage to the east side of the dwelling;
- (2) authorize the City Solicitor and other affected City officials as appropriate to do all things necessary to execute and amend the subdivision agreement between the owner and the City to grant this request; and
- (3) notify the North York Panel of the Committee of Adjustment of its decision on this matter.

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

(Report 7, Clause 72)

7.81 Final 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 Incorporated) - 4588 and 4600 Bathurst Street (Ward 10 – York Centre)

The North York Community Council held a statutory public meeting on September 13, 2006, and notice was given in accordance with the *Planning Act*.

The North York Community Council considered a report (August 22, 2006) from the Director, Community Planning, North York District, reviewing and recommending approval of an application to amend the Official Plan and Zoning By-law to permit the redevelopment of the site at 4588 and 4600 Bathurst Street consisting of an expansion to the existing Lipa Green office building and the replacement of the existing theatres, arts centre and community centre with new expanded facilities.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7;
- (2) amend former City of North York Zoning By-law 7625, as amended, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required; and
- (4) endorse the Master Plan Principles included as Attachment 3 to this report for use in the evaluation of the Site Plan Control application and as an implementation tool to guide the review of future development within the Master Plan area.

Cynthia MacDougall, Solicitor, of the law firm of McCarthy Tetrault, addressed the North York Community Council, on behalf of the applicant and also filed a pamphlet titled, "Centre for Excellence – Central Square" prepared by Page + Steele Architects.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 22, 2006) from the Director, Community Planning, North York District.

(Report 7, Clause 73)

7.82 Final Report – Rezoning Application 04 200604 NNY 10 OZ – Sasha Milenov – Milenov Associates Architects and Planners - 4442-4450 Bathurst Street (Ward 10 – York Centre)

The North York Community Council held a statutory public meeting on September 13, 2006, and notice was given in accordance with the *Planning Act*.

The North York Community Council considered a report (August 25, 2006) from the Director, Community Planning, North York District, reviewing and recommending approval of an application to amend the former City of North York Zoning By-law 7625, as amended, to permit the construction of nine, 3-storey townhouses at 4442-4450 Bathurst Street.

Recommendations:

It is recommended that City Council:

- (1) amend the former City of North York Zoning By-law 7625, as amended, 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.

The North York Community Council also considered two communications (September 11, 2006) from Angelo Mastrodicasa, outlining his concerns and objections to the application; and

Angelo Mastrodicasa, addressed the North York Community Council.

- A. Councillor Feldman, Ward 10 – York Centre, moved that the North York Community Council recommend that City Council adopt the staff recommendations in the Recommendations Section of the report (August 25, 2006) from the Director, Community Planning, North York District.
- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, in amendment to Motion A., by Councillor Feldman, moved that the appropriate City staff be requested to meet with the deputant, Mr. Mastrodicasa, to review the plan for snow clearance on the property; the location and storage of the garbage; and the screening adjacent to the visitor parking space; in order to find a satisfactory resolution to these issues.

Motion B., moved by Councillor Moscoe, in amendment to Motion A., moved by Councillor Feldman, **Carried.**

Motion A., moved by Councillor Feldman, as amended by Motion B., moved by Councillor Moscoe, **Carried.**

(Report 7, Clause 74)

Councillor Stintz, in the Chair.

7.83 Further Directions Report – Application to Amend the Official Plan and Zoning By-law and Consent Application – 2415 Jane Street – Julius De Ruyter, PMG Planning Consultants – Turner Fleischer Architects Inc. – 04 177123 NNY 09 OZ and B50/05NY (Ward 9 – York Centre)

The North York Community Council considered a report (August 25, 2006) from the Director, Community Planning, North York District, advising North York Community Council of the current status of appeals to the Ontario Municipal Board of the above Official

Plan Amendment, Rezoning and Consent applications and to seek confirmation of Council's direction on attending the Ontario Municipal Board in opposition to the appeals for the reasons outlined in this report.

Recommendation:

It is recommended that Council confirm its earlier direction that the City Solicitor and appropriate City staff attend the Ontario Municipal Board to oppose the Official Plan Amendment, Rezoning and Consent appeals for the reasons outlined in this report.

The following persons addressed the North York Community Council:

- Julius De Ruyter, PMG Planning Consultants, on behalf of the applicant;
- Carlo Dalla Lana, General Manager, Finca Building Establishment, representing the owner of lands just south of the subject site;
- Joseph Albanese, who submitted a petition signed by 8 area residents, in opposition to the application;
- Anthony Ferlito; and
- Pietro Polvic.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 25, 2006) from the Director, Community Planning, North York District.

(Report 7, Clause 75)

Councillor Augimeri in the Chair.

7.84 Refusal Report – Official Plan & Zoning By-law Amendment Application 04 150643 NNY 16 OZ – Adam Brown, Sherman Brown Dryer Karol – 3018-3020 Yonge Street (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (August 24, 2006) from the Director, Community Planning, North York District, reviewing and recommending refusal of an application to amend the Official Plan and the Zoning By-law for a 16-storey condominium building at 3018-3020 Yonge Street. The proposed building would contain 198 apartment units and have an FSI of 6.3 times the lot area.

Recommendations:

It is recommended that City Council:

- (1) refuse the July 25, 2006 revision to Official Plan and Zoning By-law Amendment Application 04 150643 NNY 16 OZ respecting a proposed 16-storey residential building.
- (2) authorize the City Solicitor and any other appropriate staff to oppose any appeal of Council's refusal of the application to the Ontario Municipal Board.

The North York Community Council also considered communications:

- (September 8, 2006) from Janet Griffin;
- (September 11, 2006) from Adrienne Yeates;
- (September 12, 2006) from William Rutledge;
- (September 11, 2006) from Eleanor Rutledge;
- (September 12, 2006) from Gary Kirsh;
- (September 12, 2006) from Glenn Williams;
- (September 12, 2006) from Adam Krehm, Partner, Partner, O'Shanter Development Company Ltd.
- (September 12, 2006) from Pamela Steacy;
- (September 12, 2006) from Arlena Hebert, Past President & Director, Lytton Park Residents' Association;
- (September 12, 2006) from Susan, Greg, Katie, Christopher and Claire Lawrence;
- (September 13, 2006) from Emily Rutledge; and
- (undated) from Don Hinchley.

The following persons addressed the North York Community Council:

- Fred Glady;
- Peter Laventhall;

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- Robert Glover, Bousfields Inc., on behalf of the applicant;
 - Don Hinchley; and
 - Leonor Ordzco.
- A. Councillor Stintz, Ward 16 – Eglinton-Lawrence, moved that the North York Community Council recommend that City Council adopt the staff recommendations in the Recommendations Section of the report (August 24, 2006) from the Director, Community Planning, North York District.
- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved in amendment to Motion A., moved by Councillor Stintz, that the North York Community Council recommend that City Council adopt the following additional Recommendation:

“That given the shortfall in parking and the proximity to the subway station, the applicant be required to provide each purchaser of a unit with a one year transit pass, in the event that the application is approved at the Ontario Municipal Board.”

Motion B., moved by Councillor Moscoe, in amendment to Motion A., moved by Councillor Stintz, **Carried.**

Motion A., moved by Councillor Stintz, as amended by Motion B., moved by Councillor Moscoe, **Carried.**

(Report 7, Clause 76)

7.85 Request for Direction Report – Official Plan and Rezoning Application 06 104568 NNY 25 OZ – Site Plan Application 06 112849 NNY 25 SA – 2130 Bayview Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (August 28, 2006) from the Director, Community Planning, North York District, recommending refusal of the application in its current form to construct 17 three-storey detached dwellings, 2 five-storey and 1 four-storey apartment buildings. The applicant has appealed Council’s failure to address the application within the timeframe established by the Planning Act. The report seeks Council’s direction for staff to attend the Ontario Municipal Board in opposition to the development as currently proposed.

Recommendations:

It is recommended that:

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- (1) City Council refuse the Official Plan and Zoning By-law Amendments, and the Site Plan Control applications in their present form.
- (2) City Staff be authorized to appear before the Ontario Municipal Board Hearing in support of the recommendation above and in accordance with the recommended revisions as outlined in this report, and the City Solicitor and any other appropriate City staff be authorized to take such actions as necessary to give effect to the recommendations of this report.
- (3) City Staff be authorized to continue discussions with the applicant, area residents, and the local Councillor to resolve any outstanding matters as identified in this report.

The North York Community Council also considered communications:

- (September 29, 2006) from Steven J. Trumper, President, Lawrence Park- Bayview Property Owners' Association.
- (September 4, 2006) from Norine Weiss.

The following persons addressed the North York Community Council:

- George Belza, Analogica, on behalf of the applicant;
- Alison Noble, Lawrence Park–Bayview Property Owners' Association;
- Edith Geduld, Chair, North York Community Preservation Panel; and
- Steven Trumper, President, Lawrence Park-Bayview Property Owners Association.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 28, 2006) from the Director, Community Planning, North York District, subject to:

- (1) the forecourt of Building 2 having a minimum setback of approximately 14 metres from the existing property line, and the applicant being encouraged to increase the forecourt of Building 1 to a minimum setback of approximately 14 metres from the existing property line;
- (2) the 45° angular plane, referred to in the conclusions under built form and massing, being measured from the nearest point of the residential lot at 305 Dawlish Avenue;

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- (3) the third floor terraces on units C1, C2, C5, C6, C9 and C10 being screened in the same way as units B1, B2, C3, C4, C7, C8, D1, D2, D3 and D4, to minimize potential overlook, in accordance with the settlement between the applicant and the community;
- (4) the applicant being encouraged to fund such additional improvements to Stratford Park as may be agreed upon in discussions with the local Councillor, City staff and area residents, as contemplated in the settlement between the applicant and the community;
- (5) the applicant being encouraged to sink the electrical transformer below grade if feasible; and
- (6) adding the following additional Recommendation (4) to the staff recommendations in the report (August 28, 2006) from the Director, Community Planning, North York District:

"(4) the Director, Community Planning, North York District, be authorized to execute a Site Plan Agreement following resolution of the outstanding matters in consultation with the local Councillor."

(Report 7, Clause 77)

7.86 Request for Direction Report – Application to Amend the Official Plan and Zoning By-law – 04 190410 NNY 16 OZ - Site Plan Control Application 05 200330 NNY 16 SA – 1705, 1717, 1719, 1743 and 1745 Avenue Road (Ward 16 – Eglinton Lawrence)

The North York Community Council considered a report (August 24, 2006) from the Director, Community Planning, North York District, advising North York Community Council of an appeal to the Ontario Municipal Board of the above Official Plan Amendment, Zoning By-law Amendment and Site Plan Control applications and seeking Council's direction for the City Solicitor to attend the hearing and support the position outlined in this report regarding these applications.

Recommendations:

It is recommended that Council:

- (1) Direct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board in support of the proposed development pursuant to the recommendations below and authorize the City Solicitor and any appropriate City staff to take actions as necessary to give effect to the recommendations of this report.

- (2) Request that the Ontario Municipal Board withhold its Order until the following matters are settled:
- (a) That the proposal be revised to address the technical issues of:
 - (i) City Planning Division, including but not limited to details such as the design of the refuse collection areas and other service areas, fencing, lighting, weather protection, bicycle parking and landscaping, to the satisfaction of the Director, Community Planning, North York District;
 - (ii) Technical Services Division, outlined in Section A of their memorandum, dated August 8, 2006 (Attachment 8); and
 - (iii) Urban Forestry Services, outlined in their memorandum, dated August 16, 2006 (Attachment 9).
 - (b) That the Official Plan Amendment incorporate a site-specific policy providing for Section 37 benefits;
 - (c) That the implementing Zoning By-law incorporate provisions to reflect the revised submission that addresses the issues outlined in Recommendation 2(a)(i) to (iii) (inclusive), including but limited to: minimum lot area, established grade, maximum building height, minimum building setbacks, minimum building stepbacks, angular planes, maximum gross floor area, maximum density, maximum lot coverage, maximum number of units, minimum indoor and outdoor amenity areas, affordable housing and appropriate Section 37 benefits;
 - (d) Prior to the implementing Zoning By-law coming into full force and effect, the owner be required to:
 - (i) enter into an Agreement under Section 37 of the *Planning Act* for depositing a letter of credit or certified cheque in the amount of \$400,000 to the satisfaction of the Chief Financial Officer and Treasurer, as follows:
 - \$250,000 for site remediation and improvements to convert the Toronto Transit Commission bus-loop at 1400 Avenue Road into a park; and
 - \$150,000 for renovations to the Armour Heights Community Centre including but not limited to: mechanical, windows, millwork, finishes, fire alarms, security systems and fixtures.

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- (ii) enter into a Site Plan Control Agreement under Section 41 of the *Planning Act* that incorporates the requirements and conditions of:
- (1) City Planning Division outlined in Recommendation 2(a)(i);
 - (2) Technical Services Division as outlined in their memorandum, dated August 8, 2006 (Attachment 8);
 - (3) Urban Forestry Services as outlined in their memorandum, dated August 16, 2006 (Attachment 9);
 - (4) Toronto Transit Commission as outlined in their memorandum, dated March 31, 2006 (Attachment 10);
 - (5) Toronto District School Board as outlined in their memorandum, dated January 25, 2005 (Attachment 11);
 - (6) Toronto Hydro as outlined in their memorandum, dated August 15, 2006 (Attachment 12); and
 - (7) Bell as outlined in their memorandum, dated December 16, 2005 (Attachment 13).
- (3) Authorize City staff to continue discussions with the applicant to revise the proposal to address the issues outlined in Recommendation 2(a)(i) to (iii) (inclusive).

The North York Community Council also considered communications:

- (September 3, 2006) from Daryl and Anthony Bessell;
- (September 3, 2006) from C. Michele Gare;
- (September 3, 2006) from Philip Donne;
- (September 3, 2006) from Marsha and Benjamin Swirsky;
- (September 4, 2006) from Gillian and Kevin Marchant; and
- (September 6, 2006) from Murray Teichman.
- (September 8, 2006) from Helen and Sylvia Demshar;
- (September 11, 2006) from Stuart Douglas;
- (September 9, 2006) from Matthew MacInnis and Beverley Bateman;
- (September 8, 2006) from Ross Rennie;
- (September 8, 2006) from Rosalind Ross;
- (September 8, 2006) from Muriel Schofield;

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- (September 10, 2006) from Lorne & Mariann Kumer;
- (September 10, 2006) from Lisa Weingarten;
- (September 10, 2006) from Cherryl Stea and Jake Unger;
- (September 11, 2006) from Wes and Jodi Neichenbauer;
- (September 7, 2006) from Sheila MacFeeters and Michael Williams;
- (September 11, 2006) from Ami Trefler & Murray Margolis;
- (September 11, 2006) from D.F. Taylor;
- (September 11, 2006) from Michael and Mary Lou Brannan;
- (September 11, 2006) from Jamie Petch;
- (September 12, 2006) from Peter A. Mastromarini;
- (September 12, 2006) from John Westgate;
- (September 12, 2006) from David Sharpe and Carolyn Williams;
- (September 12, 2006) from Sandra McKenna;
- (September 12, 2006) from Howard Kaufman;
- (September 12, 2006) from Tim & Isabel Goodman; and
- (September 13, 2006) from George Milbrandt, Co-chair, Federation of North Toronto Residents Association (FoNTRA).

The following persons addressed the North York Community Council:

- Mark Noskiewicz, Solicitor, of the law firm of Goodmans, on behalf of the applicant;
- Peter Turner, Principal, Turner Fleischer Architect Inc, who submitted a booklet (July 16, 2006) illustrating various views of the proposed development at 1717 Avenue Road;
- Brian Ludmer, Secretary, North Avenue Road Residents' Association;

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- George Milbrandt, Co-Chair, Federation of North Toronto Residents' Association, (FoNTRA);
 - Catherine Auld;
 - Gerard Ronan, Director, Old Orchard Grove Ratepayers' Association;
 - Livia Prince;
 - James LeNoury, South Armour Heights Residents' Association;
 - Dorothy Wilson;
 - Lillian Marson, Bedford Park Residents Association;
 - D.F. Taylor;
 - Daryl Bessell;
 - Robert Amaron, Secretary, Bedford Park Residents Association;
 - John Keating, Bedford Park Residents Association;
 - Greg Cardwell;
 - Larry Lancefield; and
 - Rosalind Ross.
- A. Councillor Stintz, Ward 16 – Eglinton-Lawrence, moved that the North York Community Council recommend that City Council:
- (1) refuse the application;
 - (2) direct the City Solicitor to retain outside consultants to oppose the proposed development and to defend the City's residential neighbourhoods; and
 - (3) encourage the applicant to meet with the local Councillor, the community, and City Planning staff, to review the proposal in order to address the issues raised by the community.

A recorded vote on Motion A., moved by Councillor Stintz, Ward 16 – Eglinton-Lawrence, was as follows:

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

AGAINST: Councillors Augimeri, Carroll

ABSENT: Councillors Feldman, Filion, Pitfield

Carried.

(Report 7, Clause 78)

7.87 Two-Way Centre Left Turn Lane – Chesswood Avenue, Champagne Drive to Finch Avenue West (Ward 8 – York West)

The North York Community Council considered a report (June 8, 2006) from the Director, Transportation Services, North York District, seeking approval to introduce a two-way centre left turn lane on Chesswood Drive, between Champagne Drive and Finch Avenue West.

Recommendations:

It is recommended that:

- (1) Schedule XIV of By-law No. 31001, of the former City of North York, be amended to include a two-way centre left turn lane on Chesswood Drive, from a point 27 metres north of Champagne Drive to a point 52 metres south of Finch Avenue West; and
- (2) the appropriate City Officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 8, 2006) from the Director, Community Planning, North York District.

(Report 7, Clause 79)

7.88 40 km/h Speed Limit – Elvaston Drive (Ward 34 – Don Valley East)

The North York Community Council considered a report (September 1, 2006) from the Director, Transportation Services, North York District, reporting on introducing a 40 km/h zone on Elvaston Drive, between Ecclestone Drive and Sloane Avenue.

Recommendations:

- (1) By-law No. 31878, of the former City of North York, be amended by deleting the 40 km/h speed zone on Elvaston Drive, from a point 150 metres west of the west leg of Halkin Crescent to the westerly limit of the east leg of Halkin Crescent;
- (2) By-law No. 31878, of the former City of North York, be amended to introduce a 40 km/h speed limit on Elvaston Crescent, from the northerly limit of Eccleston Drive to the westerly limit of Sloane Avenue; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (September 1, 2006) from the Director, Transportation Services, North York District.

(Report 7, Clause 80)**7.89 Parking Prohibitions: Harlandale Avenue (Ward 23 – Willowdale)**

The North York Community Council considered a report (September 6, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the parking restrictions on Harlandale Avenue.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the south side of Harlandale Avenue, from a point 45.75 metres west of the westerly limit of Yonge Street to a point 23 metres further west; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

(Report 7, Clause 81)

7.90 Parking Prohibitions: Clairtrell Road (Ward 23 – Willowdale)

The North York Community Council considered a report (September 6, 2006) from the Director, Transportation Services, North York District, seeking approval to amend the existing parking regulations on Clairtrell Road.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east side of Clairtrell Road, from the northerly limit of Sheppard Avenue East to a point 71 metres north of the northerly limit of Sheppard Avenue East; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

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

(Report 7, Clause 82)

7.91 Request for Direction Report – Applications to Amend the Official Plan and Zoning By-law – 05 105152 NNY 23 OZ and Plan of Subdivision – 05 105158 NNY 23 SB – Allan Leibel, Goodmans - Kirkor Architects and Planners – 1-12 Oakburn Crescent and 14-40 Oakburn Place and 12 Anndale Drive, 68 Avondale Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (September 8, 2006) from the Director, Community Planning, North York District, providing information on the proposed phased development consisting of 1,195 residential units arranged into multiple townhouse blocks and 5 residential towers of 15-21 storeys in height, and to seek Council's direction with respect to the scheduled Ontario Municipal Board hearing.

Recommendations:

It is recommended that:

- (1) City Council not support the proposed phased development of 1,195 residential units in its current form.

-
- (2) City Council support the recommended modifications to the proposed Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision Application, and Master Concept Plan, for a phased development consisting of a total maximum of 1,195 new residential units (859 units plus 55 existing rental units to remain in Phase 1; and an additional 336 units for a total of 1,195 new residential units at the end of Phase 2), subject to the Recommendations and conditions and as generally outlined in this Report.
 - (3) City Council authorize the City Solicitor and any appropriate City staff as may be required to attend at the Ontario Municipal Board hearing in support of the position outlined in this Report and Recommendations, and to bring forward to the Ontario Municipal Board the final form of proposed Official Plan and Zoning Amendments, Draft Plan of Subdivision, and Master Concept Plan consistent with the principles outlined in this Report and Recommendations, and consistent with Council policies and guidelines as they may determine appropriate, including but not limited to the North York Centre Secondary Plan and the Infill Townhouse Guidelines.
 - (4) Subject to taking the necessary procedural steps, City Council support in principle relocating the road through the subject property and declaring Parts A, B, C, E, F and H of the proposed Draft Plan of Subdivision (Attachment 5) surplus and inviting an offer to purchase them from the Owner, on the condition that the Owner convey to the City as part of the development Blocks 4 and 8 and Parts I and J on said attachment, to be secured in appropriate legal agreements in relation to the Phase 1 development.
 - (5) City Council support in principle a draft plan of subdivision, substantially in the form of Attachment 5, which includes 6 townhouse blocks, 5 blocks for residential towers, a central park block, a westerly park block, and a relocated Oakburn Place road configuration which also provides for a future connection to Harrison Garden Boulevard, subject to the following, to the City's satisfaction:
 - (a) a Master Concept Plan, including urban design guidelines, subject to conditions as generally outlined in this Report and Recommendations, to be registered on title as part of the subdivision agreement;
 - (b) the City's standard subdivision agreement requirements;
 - (c) the draft plan of subdivision requirements as outlined in the Technical Services comments of September 7, 2006 (Attachment 10b);
 - (d) the draft plan of subdivision requirements as outlined in the Parks, Forestry and Recreation comments of August 24, 2006 (Attachment 10c), subject to the public park conveyances being provided as part of the Phase 1 development;

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- (e) the requirements of the Ministry of Transportation as outlined in their comments dated February 17, 2005 (Attachment 10f);
- (6) that City Council support in principle an amendment to the site-specific policy 12.17 of the North York Centre Secondary Plan, Oakburn Crescent and Oakburn Place Lands, for the following purposes:
- (a) to delete the permission for a maximum of 2,787 m² of office and residential uses accessory or ancillary to the permitted residential uses; and
 - (b) to permit a maximum total of 1,195 residential units on the site, in a phased development consisting of 859 units plus 55 existing rental units to remain in Phase 1 only, and an additional 336 units for a total of 1,195 new residential units at the end of Phase 2.
- (7) City Council not support any proposed amendments to the Official Plan or Zoning By-law that would result in a density in excess of 83,652 m² (2.0 FSI base density on the site) or 110,827 m² (2.66 FSI on the site with combined density incentives and transfers provided in accordance with North York Centre Secondary Plan provisions, including an adjustment related to parkland dedication density), in relation to a proposed total site area of 41,826.1 m².
- (8) City Council not support any proposed amendment to the Official Plan or Zoning By-law that would exempt any building within the development from the maximum height permission of the North York Centre Secondary Plan, including the site-specific angular plane policy that building heights are limited to one half the horizontal distance separating any building or portion thereof from the nearest Relevant Residential Property Line shown on Map D.1.6 of the Secondary Plan.
- (9) City Council support in principle a site-specific amendment to Zoning By-law 7625, to include, among other matters, the following provisions to be specified in the implementing zoning by-law to the satisfaction of the City Solicitor and the Director, Community Planning, North York District:
- (a) that the Ontario Municipal Board be requested to withhold its Order for the proposed official plan and zoning by-law amendments until such time as the Owner has provided, at its sole expense, the following matters required in respect of the Phase 1 development (up to a maximum of 859 new units, plus 55 existing rental units), to the satisfaction of the Executive Director of Technical Services and the City Solicitor, and to be secured in a section 37 agreement:
 - (i) lands for the widening of Avondale Avenue to five lanes between Bales Avenue and Yonge Street;

- (ii) an exclusive westbound right turn lane at the intersection of Yonge Street and Avondale Avenue;
 - (iii) lands to implement the approved Service Road network in relation to the property at the northwest corner of Avondale Avenue and Tradewind Avenue (known municipally as 68 Avondale Avenue);
 - (iv) funding for signalization of the new four-leg intersection between Tradewind Avenue and Avondale Avenue;
 - (v) a road connection between the site and Harrison Garden Boulevard to the immediate west of the site;
 - (vi) Travel Demand Management initiatives for the Oakburn project including the provision of Metropasses and a shuttlebus service;
 - (vii) the monetary contribution in relation to the density incentive of approximately 4,281 m² gross floor area as outlined in (9)(c)(iv)(f) below.
- (b) a Holding provision to be placed on the site-specific zoning by-law for the development of the second phase (up to a maximum total of 1,195 units on the site) until such time as the City has secured the following improvements, with such matters also to be secured in the section 37 agreement:
- (i) the City's acquisition of lands to implement the identified Service Road connection along Anndale Drive between Yonge Street and Bonnington Place as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report;
 - (ii) Travel Demand Management initiatives for the Oakburn project including the provision of Metropasses and a shuttlebus service, revised as may be necessary to reflect the Phase 2 project; and
 - (iii) the monetary contribution in relation to the density incentive of approximately 17,337 m² gross floor area as outlined in (9)(c)(iv)(f) below;
- (c) the site-specific zoning by-law amendment include, among other matters, the following additional provisions:
- (i) the only permitted uses shall be apartment house dwellings (which may have access from either an interior corridor or direct at-grade exterior access, or both), multiple attached dwellings, and public park;

- (ii) a maximum total of up to 1,195 total units on the site, subject to the following:
 - (a) a maximum of 859 units in the Phase 1 development, including at least 286 rental units, along with 55 existing rental units to remain throughout construction of the Phase 1 development; and
 - (b) a maximum of an additional 336 residential units in the Phase 2 development, instead of the existing 55 rental units (approximate) proposed to remain as part of the Phase 1 development, for a total maximum unit count of 1,195 residential units upon completion of both Phase 1 and Phase 2;
- (iii) a maximum gross floor area of 83,652 m², being a maximum base density limit of 2.0 FSI in conformity with the North York Centre Secondary Plan, for the site of total area 41,826.1 m², including in the Phase 1 development existing buildings proposed to remain during that phase and having a total maximum gross floor area of 4,488 m².
- (iv) a maximum additional gross floor area of up to 27,175 m², for a total maximum gross floor area of 110,827 m² (including an adjustment related to the parkland dedication). The maximum total gross floor area for Phase 1 is 83,445 m² for new construction plus 4,488 m² for existing buildings, for a total maximum of 87,933 m², and the maximum total gross floor area for the site upon completion of Phase 2 is 110,827 m², being a maximum density of 2.66 FSI with combined density incentives and transfers permitted in conformity with the North York Centre Secondary Plan, and including a parkland dedication density adjustment, for the site of area 41,826.1 m², subject to the Owner providing, at its expense, the following facilities, services and/or matters to be secured in a section 37 agreement to the satisfaction of the City Solicitor:
 - (a) lands municipally known as 68 Avondale Avenue, with an area of approximately 451.5 m², and a density of 3.5 FSI, for a maximum additional gross floor area of approximately 1580 m², with the density of the 68 Avondale lands to be reduced to zero gross floor area to recognize the density transfer, and with these lands to be provided to the City prior to the implementing zoning by-law for the Oakburn project coming into effect;

- (b) lands municipally known as 12 Anndale Drive, with an area of approximately 395.7 m², and a density of 3.5 FSI, for a maximum additional gross floor area of approximately 1385 m², with the density of the 12 Anndale Drive lands to be reduced to zero gross floor area to recognize the density transfer, and with these lands to be provided to the City prior to the implementing zoning by-law for the Oakburn project coming into effect;
- (c) the portion of lands municipally known municipally as 4679 Yonge Street at the northeast corner of Yonge Street and Avondale Avenue, that is required for the Service Road as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), with an area of approximately 223 m², for a maximum additional gross floor area of approximately 1003 m², with the density of said lands to be reduced to zero gross floor area to recognize the density transfer, prior to the implementing zoning by-law for the Oakburn project coming into effect;
- (d) should the Owner (Oakburn) have used reasonable efforts to acquire the required lands from 4679 Yonge Street and have not been successful, City staff are authorized to initiate the expropriation process including serving and publishing Notices of Application for Approval to Expropriate, forwarding to the Chief Inquiry Officer any requests for hearing received, attending the hearing to present the City's position and reporting the Inquiry Officer's recommendations to Council for its consideration, with all costs incurred and compensation payable as a result of the expropriation to be at the Owner's (Oakburn's) total expense.
- (e) a minimum of 1.5 m² per unit of private indoor recreational area to be provided on the site, being approximately 1,059 units and 1,589 m² of private indoor recreational area, for a maximum additional gross floor area of approximately 1,589 m²;
- (f) a monetary contribution to fund any additional requested density up to the maximum 2.66 FSI permitted by the North York Centre Secondary Plan (subject to an adjustment related to parkland dedication density), in accordance with the provisions of Section 3.3, Density Incentives, of the Secondary Plan, with such moneys to be directed to the City's acquisition of required Service Road properties south of

Sheppard Avenue and east of Yonge Street, or alternatively, the Owner may acquire and convey to the City additional property or properties required for the Service Road south of Sheppard Avenue and east of Yonge Street, as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), or a combination of the monetary contribution and such Service Road properties, for a total additional gross floor area of up to 21,618 m², with any monetary contribution to be based on the market value of density in the North York Centre as determined by the Director of Real Estate Services. Prior to the implementing zoning by-law for the Oakburn project coming into effect, the Owner shall provide a monetary contribution in the form of a certified cheque, to fund 4,281 m² of gross floor area associated with the Phase 1 development (existing plus proposed buildings), and the City shall secure in an appropriate legal agreement the requirement for the applicant to fund the balance of the approximate 21,618 m² density (approximately 17,337 m²) at the time the Holding provision is lifted in relation to the Phase 2 development; and

- (g) reallocations may be made among (e) and (f) above on the basis of confirmation of proposed private indoor recreational amenity space prior to the final implementing zoning by-law going forward to the Ontario Municipal Board for enactment;
- (v) maximum gross floor areas to be assigned to each proposed development block generally as outlined in the Master Concept Plan development concept;
- (vi) “Gross Floor Area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:
 - (a) any parts of the buildings used for mechanical purposes;
 - (b) any space used for motor vehicle parking or bicycle parking; and
 - (c) the floor area of unenclosed residential balconies.
- (vii) maximum building height limits to be provided in accordance with all of the following provisions:

- (a) For the block of townhouses proposed north of Oakburn Crescent, Established grade shall be defined as 169.62 m, the centre line of Oakburn Crescent midpoint from east to west. For all other blocks, established grade shall be determined at the time the final form of the zoning by-law is brought forward and to be based on the centre line geodetic elevations of the adjacent proposed public streets.
 - (b) height limits shall be in conformity with the North York Centre Secondary Plan height limits of Map D.1.6, and with the angular plane requirements of site-specific policy 12.17 requiring that the maximum height of all buildings and structures shall not exceed one-half the horizontal distance from the nearest Relevant Residential Property Line (RRPL);
 - (c) within 75 m of the RRPL, the height of all buildings or structures shall not exceed 11 m or three storeys whichever is less, also subject to the above angular plane requirement;
 - (d) the maximum height of all multiple attached dwellings shall be 11 m and 3 storeys;
 - (e) the maximum height of all towers shall be no greater than 65 m and 23 storeys, whichever is less, also subject to the above angular plane requirement; and
 - (f) maximum height limits shall include appropriate base building or podium conditions in association with the proposed residential towers;
- (viii) in addition to the angular plane height requirement recommended in (vi)(b) above, the following additional modifications shall be made to the proposed zoning schedule:
- (a) minimum setbacks of 2.5 m from adjacent public streets (existing or proposed) for all buildings;
 - (c) a minimum setback of 15 m from the west property line for the tower portion of building E on block 6;
 - (d) a minimum setback of 7.5 m from the west property line for the proposed townhouses in block 5; and
 - (e) a minimum distance of 12.5 m between blocks in front or rear facing relationships for all residential units;

- (ix) a public park block of approximately 4,054 m² in area central to the site, and a park block of minimum size 240 m² in the northwest portion of the site, shall be provided in relation to the Phase 1 project, within 6 months of completion of building B, the rental replacement building;
 - (x) parking shall be provided at a ratio of 1.0 space per residential unit (minimum) to 1.4 spaces per residential unit (maximum), on a per block basis, with the exception of the proposed rental building which may have a parking standard of 0.8 spaces per residential unit, both ratios of which contain a visitor parking allowance of 0.1 space per residential unit;
 - (xi) parking shall comply with the requirements of Zoning By-law 7625 in all other aspects;
 - (xii) bicycle parking to be provided at a rate of 0.5 spaces per residential unit for all units other than those in the independent townhouse blocks;
 - (xiii) loading space requirements, including supply, dimensions and accessibility, to comply with Zoning By-law 7625;
 - (xiv) a minimum of 25% of the total number of condominium residential units constructed are to be provided with the maximum floor area restrictions:
 - (a) 70 m² for a bachelor unit or a one-bedroom unit;
 - (b) 80 m² for a two-bedroom unit;
 - (c) 120 m² for a three-bedroom unit;
 - (d) any combination of the above.
- (10) City Council require that in addition to the recommended transportation improvements and density transfer and density incentive matters to be secured in a section 37 agreement as noted above, the owner be required to enter into a section 37 agreement to the satisfaction of the City Solicitor, to provide the following facilities, services and/or matters:
- (a) subject to Recommendation (4) above, the conveyance to the City of proposed parkland blocks 4 and 8, and public road Parts I and J as shown on Attachment 5, within 6 months of completion of proposed building E (rental replacement building);

- (b) the provision and maintenance of at least 286 replacement rental dwelling units, with rental tenure to be secured for the proposed rental building for 20 years, along with the maintenance of rent levels and a tenant assistance package in conformity with the proposed rental housing principles attached as Attachment 10a;
 - (c) a public art programme valued at 1% of gross construction costs, for a public art installation to be located on-site and/or on public lands adjacent to the site. The owner shall submit to the City a public art plan for the site and obtain approval by the Chief Planner or designate in consultation with the Toronto Public Art Commission prior to the issuance of the first building permit for the Phase 1 project, or shall in lieu thereof, deposit two-thirds of the public art obligation in respect of that building permit with the City, and deposit the remaining one-third of the public art obligation prior to the issuance of the first building permit for the Phase 2 project;
 - (d) a Construction Management Plan, to the satisfaction of the Executive Director, Technical Services, to be provided for each of the two proposed development phases, prior to the issuance of any demolition permit for the site in respect each of the respective two phases; and
 - (e) any required remediation, improvements, and final design and programming of the proposed park blocks 4 and 8, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- (11) City Council endorse in principle a Master Concept Plan for development of the Oakburn lands, generally in the form found in Attachment 9, subject to any required revisions as a result of the above Recommendations and as outlined in this Report.
- (12) City Council direct the City Solicitor to request that the Ontario Municipal Board order that the proposed Official Plan Amendment and Zoning By-law Amendment not take effect until the Board has been advised that the City and the Owner of the subject lands have entered into a subdivision agreement and a section 37 agreement.
- (13) City Council authorize the appropriate City staff to initiate the expropriation process, if necessary, for the lands required for the Anndale Drive extension between Yonge Street and Bonnington Place, as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), should the City not have acquired such lands within two years of the site-specific zoning by-law amendment for the Oakburn development coming into effect. The City's intent in this regard may be secured as part of the section 37 agreement for the Oakburn development.
- (14) City Council require the Owner to have provided a written undertaking, in a form satisfactory to the City Solicitor, that upon the site-specific Official Plan and Zoning

By-law coming into effect, any outstanding appeal that the Owner may have in relation to the new Official Plan respecting this site, be withdrawn.

The North York Community Council also considered a status report (September 7, 2006) from the Director, Community Planning, North York District, advising that this application has been appealed to the Ontario Municipal Board and is scheduled for a prehearing on October 13, 2006 and a two-week hearing commencing November 27, 2006, and further advising that the Directions Report will be distributed as soon as it is available prior to the September 13, 2006 meeting of North York Community Council.

The North York Community Council also considered communications:

- (September 6, 2006) from Joseph Chan; and
- (September 12, 2006) from Jason Park, Goodman & Carr, solicitors for Wittington Properties Limited.

The following persons addressed the North York Community Council:

- Ritika Nandkeolyar;
- Catherine Lyons, Solicitor of the law firm of Goodmans, on behalf of the applicant;
- Paul Nightingale, Nightingale Group; representing Condominium Corporation 1566 and Condominium Corporation 1600;
- Joe Vollans; and
- Matthew Rea, Solicitor of the law firm of Davies Howe Partners, on behalf of the Avondale Avenue residents group.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council deferred consideration of the report (September 8, 2006) from the Director, Community Planning, North York District to its special meeting on September 19, 2006 at 2:00 p.m.

(Report 7, Other Items Clause 90(i))

7.92 Request for Removal of Microwave Transmission Tower at the Hydro One Leslie Transformer Station on the Hydro right-of-way and behind 48 – 66 Willesden Road (Ward 24 – Willowdale)

The North York Community Council considered the following Resolution submitted by Councillor Shiner:

“WHEREAS there is an unsightly microwave transmission tower, located at the Hydro One Leslie Transformer Station on the Hydro right-of-way and behind 48 – 66 Willesden Road.

WHEREAS this tower is owned by Hydro One.

WHEREAS it was built in 1969, was formerly used by the Bell Telephone Company as a communications tower.

WHEREAS it is no longer being used by anyone as a communications tower.

WHEREAS it is approximately 330 feet high and towers over the single family homes in the area.

WHEREAS Hydro One last inspected the tower in 2003.

WHEREAS the tower has fallen into disrepair, is old, rusty and visually offensive.

AND WHEREAS a communications tower is no longer permitted to be constructed in this manner under the City’s current specifications.

THEREFORE BE IT RESOLVED THAT the City Manager immediately write to the President and CEO of Hydro One requesting the immediate removal of this old rusting tower and further, the City Manager report back to North York Community Council in January of 2007, on all actions taken in this regard”.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council recommended that City Council adopt the Resolution.

(Report 7, Clause 83)

7.93 Ontario Municipal Board Hearing – Committee of Adjustment Application – 11 Ruddington Drive (Ward 24 – Willowdale)

The North York Community Council considered the following Resolution submitted by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) deferred sine die, a consent application by 11 Ruddington Drive Ltd., owners of 11 Ruddington Drive, for the division of lands into two (2) parts for conveyance purposes and for the creating/granting of easements/rights-of-way;

WHEREAS there are no minor variances associated with this application;

WHEREAS the applicant has submitted an application for Official Plan and Zoning By-law amendments to the North York District Community Planning office to permit 32 townhouses at 11 Ruddington Drive. The existing apartment building was to be retained as rental housing;

WHEREAS the applicant has also filed for Site Plan Approval for a 9 storey, 65 unit apartment building for the conveyed lands;

WHEREAS Planning staff commented that any approval of the application be subject to conditions outlined in the staff report;

WHEREAS the applicant has not yet appealed the application to the Ontario Municipal Board but has indicated that an appeal may be forthcoming.

THEREFORE BE IT RESOLVED THAT in the event of an appeal of the application, that Council authorize the City Solicitor and Planning staff to attend the Ontario Municipal Board hearing to uphold the City’s By-law and Official Plan policies.”

On motion by Councillor Shiner, Ward 24 - Willowdale, and in accordance with §27-127, Late Items, of Chapter 27 of the City of Toronto Municipal Code, the North York Community Council, by majority vote, granted leave to introduce a Resolution regarding an Ontario Municipal Board Hearing – Committee of Adjustment Application – 11 Ruddington Drive (Ward 24 – Willowdale)

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council recommended that City Council adopt the Resolution.

(Report 7, Clause 84)

7.94 Ontario Municipal Board Hearing – Committee of Adjustment Application – 185 Graydon Hall Drive (Ward 34 – Don Valley East)

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

“WHEREAS on July 24, 2003, City Council passed temporary by-law 738-2003, permitting non-amplified outdoor music associated with a Banquet Hall for a one year period

commencing July 24, 2003 at Graydon Hall Manor (the “Applicant”), located at 185 Graydon Hall Drive; and

WHEREAS the purpose of the temporary by-law was to allow for monitoring of the effects of outdoor music on the surrounding community; and

WHEREAS during this period, concern was expressed by the community to the local Councillor’s office and Municipal Licensing and Standards, of the impacts of noise from outdoor events at this facility when music is played; and

WHEREAS the applicant submitted application A0394/06NY to the Committee of Adjustment (North York Panel) for a variance from the provisions of the North York Zoning By-law 7625, as amended, to permit non-amplified music outdoors on a permanent basis; and

WHEREAS it was the decision of the Committee of Adjustment, on June 29, 2006, that the variance application be denied for the following reasons:

- the general intent and purpose of the Official Plan was not maintained.
- the general intent and purpose of the Zoning By-law was not maintained.
- the variance was not considered desirable for the appropriate development of the land.
- in the opinion of the Committee, the variance was not minor; and

WHEREAS the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT in the interests of the community surrounding the banquet facility, outdoor music should not be permitted at the Graydon Hall Manor; and

BE IT FURTHER RESOLVED THAT City Council authorize the City Solicitor to attend at the Ontario Municipal Board hearing, and request that the Ontario Municipal Board refuse the variance application to permit outdoor non-amplified music.”

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, and in accordance with §27-127, Late Items, of Chapter 27 of the City of Toronto Municipal Code, the North York Community Council, by majority vote, granted leave to introduce a Resolution regarding an Ontario Municipal Board Hearing – Committee of Adjustment Application – 185 Graydon Hall Drive (Ward 34 – Don Valley East).

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

subject to the Operative Paragraph being deleted and replaced with the following Operative Paragraph instead:

“BE IT FURTHER RESOLVED THAT City Council authorize the City Solicitor to attend at the Ontario Municipal Board hearing, retain the appropriate consultants, and request that the Ontario Municipal Board refuse the variance application to permit outdoor non-amplified music.”

(Report 7, Clause 85)

7.95 Report Request - Conveyance of Kenaston Gardens Park – Upgrades and Public Art Component Completion (Ward 24 - Willowdale)

The North York Community Council considered the following Resolution submitted by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS Kenaston Gardens Park is a new park located on the west side of Kenaston Gardens, adjacent to and south of Bayview/Sheppard subway station;

WHEREAS Kenaston Gardens Park has been conveyed to the City;

WHEREAS the developer was to provide upgrades and public art on the site;

WHEREAS the developer had not even prepared the park to the appropriate base condition (grading and sodding) upon conveyance of Kenaston Gardens Park to the City;

THEREFORE BE IT RESOLVED THAT the General Manager, Parks, Forestry and Recreation, report directly to the September 25, 26 and 27, 2006, City Council meeting as to why the City has accepted the conveyance of Kenaston Gardens Park when it was not in accordance with the terms and conditions required by the City and what steps are being taken to have the park completed, including the public art component.”

On motion by Councillor Shiner, Ward 24 - Willowdale, and in accordance with §27-127, Late Items, of Chapter 27 of the City of Toronto Municipal Code, the North York Community Council, by majority vote, granted leave to introduce a Resolution regarding a Report Request - Conveyance of Kenaston Gardens Park – Upgrades and Public Art Component Completion (Ward 24 - Willowdale).

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

- (1) submitted this matter to City Council without recommendation; and

- (2) requested the General Manager, Parks, Forestry and Recreation, to report directly to the September 25, 26 and 27, 2006, City Council meeting as to why the City has accepted the conveyance of Kenaston Gardens Park when it was not in accordance with the terms and conditions required by the City and what steps are being taken to have the park completed, including the public art component.

(Report 7, Clause 86)

7.96 Interpretation of the Sign By-law with respect to Video Equipped Signs within drive-through locations.

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

“WHEREAS video signage is generally prohibited in Toronto, and

WHEREAS the reason for this prohibition is because these signs distract drivers and pose a significant hazard for motorists; and

WHEREAS this prohibition also applies to signs at drive-through locations which cannot be viewed from the street and could not possibly distract drivers; and

WHEREAS video signs at drive-through locations are designed to provide information to standing vehicles, not moving vehicles, and

WHEREAS similar signs, even LCD signs at drive-throughs are not considered ‘signs’; and

WHEREAS only video equipped signs are considered ‘signs’;

THEREFORE BE IT RESOLVED that the interpretation of the sign by-law with respect to video equipped signs within drive-through locations be referred to the Licensing and Standards Committee, or the appropriate successor Committee dealing with these matters, for its consideration.”

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, and in accordance with §27-127, Late Items, of Chapter 27 of the City of Toronto Municipal Code, the North York Community Council, by majority vote, granted leave to introduce a Resolution regarding Interpretation of the Sign By-law with respect to Video Equipped Signs within drive-through locations.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council referred the issue of the interpretation of the Sign By-law with respect to video equipped signs within drive-through locations to the Licensing and

Standards Committee, or the appropriate successor Committee dealing with these matters, for its consideration.

(Report 7, Other Items Clause 90(j))

7.97 All Way Stop Control – Intersection of Cameron Crescent and Donegall Road (Ward 26 – Don Valley West)

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

“WHEREAS residents of both Cameron Crescent and Donegall Drive have expressed long standing concerns regarding traffic safety for both pedestrians and motorists at the intersection of these two roads; and

WHEREAS residents have requested the installation of an all-way stop at the intersection of Cameron Crescent and Donegall Drive; and

WHEREAS westbound traffic on Cameron Crescent is required to stop at Donegall Drive; and

WHEREAS Transportation Services conducted an all way stop study in September, 2005, where one of the two required warrant criteria was met; and

WHEREAS residents have advised that traffic volumes have increased in the neighbourhood in the last twelve months;

THEREFORE BE IT RESOLVED THAT an all way stop control be installed at the intersection of Cameron Crescent and Donegall Drive and that staff be directed to take any action required to take effect thereto.”

On motion by Councillor Pitfield, Ward 26 – Don Valley West, and in accordance with §27-127, Late Items, of Chapter 27 of the City of Toronto Municipal Code, the North York Community Council, by majority vote, granted leave to introduce a Resolution regarding an All Way Stop Control – Intersection of Cameron Crescent and Donegall Road (Ward 26 – Don Valley West).

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

(Report 7, Clause 87)

7.98 Removal of Advertising Signs - 135 Fenelon Drive (Ward 34 – Don Valley East)

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

"WHEREAS the owner of 135 Fenelon Drive has erected numerous 6-7 storey advertising signs on the side of the apartment building; and

WHEREAS this is a clear violation of the City of North York Sign by-law; and

WHEREAS the City issued a notice to the property owner to remove the signs and the property owner ignored the City's order and in fact, erected new ones; and

WHEREAS the property owner was charged with the illegal act and despite a conviction in court, the signs remain on the side of the building; and

WHEREAS the signs continue to be a distraction to drivers on the Don Valley Parkway and particularly invasive to residents in the neighbourhood;

NOW THEREFORE BE IT RESOLVED that the Chief Building Official and Executive Director, Building Official, order the owner once again, to remove the signs under the provisions of section 2.7 of the former City of North York Sign By-law No. 30788; and

BE IT FURTHER RESOLVED that should the property owner once again fail to comply with the Order to remove the signs, that the City use every means possible to ensure that these signs are removed and no further signs erected; and

BE IT FURTHER RESOLVED that to do so, the City seek the appropriate orders in court to halt the repeated offence and if necessary, to gain access to 135 Fenelon Drive for the purpose of removing the signs; and

BE IT FURTHER RESOLVED that if the property owner does not remove the signs or erects new ones, and subject to judicial permission, the Chief Building Official and Executive Director, Building Division, locate an approved City contractor, capable of removing the signs, in order to engage their services."

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, and in accordance with §27-127, Late Items, of Chapter 27 of the City of Toronto Municipal Code, the North York Community Council, by majority vote, granted leave to introduce a Resolution regarding Removal of Advertising Signs - 135 Fenelon Drive (Ward 34 – Don Valley East).

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

(Report 7, Clause 88)

7.99 Ontario Municipal Board Hearing – Site Plan Application – 2901 Bayview Avenue (Ward 24 – Willowdale)

The North York Community Council considered the following Resolution submitted by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS the owner of 2901 Bayview Avenue has applied for site plan approval, and

WHEREAS comments from all departments for this application have as of yet not been received, and

WHEREAS the applicant just notified the City of their intention to appeal the application to the Ontario Municipal Board, and

WHEREAS there are outstanding issues regarding parking on site, and

WHEREAS current site plan does not provide the required number of parking places to replace the parking for Bayview Mews use, for community parking and for the Kiss and Ride,

NOW THEREFORE BE IT RESOLVED THAT every effort be made to resolve all outstanding issues on the site prior to the next City Council meeting on September 25, 26 and 27, 2006 and that the Director of Community Planning, North York District, report directly to City Council at its meeting on September 25, 26 and 27, 2006 if issues are resolved to the satisfaction of City Planning staff and the local Councillor, and

BE IT FURTHER RESOLVED THAT if these issues are not resolved, the City Solicitor and City Planning staff, in consultation with the local Councillor, continue to work toward a resolution and if no resolution can be found, that the City Solicitor attend the OMB in opposition, and if necessary, hire outside consultants.”

On motion by Councillor Shiner, Ward 24 - Willowdale, and in accordance with §27-127, Late Items, of Chapter 27 of the City of Toronto Municipal Code, the North York Community Council, by majority vote, granted leave to introduce a Resolution regarding an Ontario Municipal Board Hearing – Site Plan Application – 2901 Bayview Avenue (Ward 24 – Willowdale).

On motion by Councillor Shiner, the North York Community Council:

- (1) recommended that City Council authorize the City Solicitor to attend the Ontario Municipal Board hearing, in opposition, and if necessary, hire outside consultants, if no resolution can be found; and

(2) requested that:

- (i) every effort be made to resolve all outstanding issues on the site prior to the next City Council meeting and that the Director of Community Planning, North York District, report directly to City Council at its meeting on September 25, 26 and 27, 2006 if issues are resolved to the satisfaction of City Planning staff and the local Councillor; and
- (ii) if the outstanding issues are not resolved, the City Solicitor and City Planning Staff, in consultation with the local Councillor, continue to work toward a resolution.

(Report 7, Clause 89)

Adjournment:

The North York Community Council adjourned its meeting at 7:50 p.m. on Tuesday, September 13, 2006.

Chair