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## North York Community Council

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|---------------------|--|----------------|---|
| <b>Meeting No.</b>  | 11                                       | <b>Contact</b> | Francine Adamo, Committee Administrator |
| <b>Meeting Date</b> | Tuesday, November 27, 2007               | <b>Phone</b>   | 416-395-7348                            |
| <b>Start Time</b>   | 9:30 AM                                  | <b>E-mail</b>  | nycc@toronto.ca                         |
| <b>Location</b>     | Council Chamber, North York Civic Centre |                |   |

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| <b>Start Time</b>   | 9:30 AM                                  | <b>E-mail</b>  | nycc@toronto.ca                         |
| <b>Location</b>     | Council Chamber, North York Civic Centre |                |   |

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|        |              |  |  |          |
|--------|--------------|--|--|----------|
| NY11.1 | NO AMENDMENT |  |  | Ward: 25 |
|--------|--------------|--|--|----------|

### **Draft By-law - To Permanently Close a Portion of the Public Highway Overland Drive adjoining 3 Tottenham Road**

#### **City Council Decision**

City Council on December 11, 12 and 13, 2007, adopted the following motion:

1. City Council enact the by-law from the City Solicitor, to permanently close a portion of the public highway Overland Drive adjoining 3 Tottenham Road.

Statutory - City of Toronto Act, 2006

(November 13, 2007) Draft By-law from City Solicitor

#### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. enact the by-law from the City Solicitor, to permanently close a portion of the public highway Overland Drive adjoining 3 Tottenham Road.

#### **Decision Advice and Other Information**

The North York Community Council held a public meeting in accordance with the City of Toronto Act, 2006, 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 November 27, 2007.

#### **Summary**

To enact By-law to permanently close portion of the public highway Overland Drive, adjoining

3 Tottenham Road.

### Background Information

Overland - Draft by-law

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8627.pdf>)

Overland-Notice of By-law

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8628.pdf>)

|        |              |  |  |          |
|--------|--------------|--|--|----------|
| NY11.3 | NO AMENDMENT |  |  | Ward: 25 |
|--------|--------------|--|--|----------|

### Intention to Designate under Part IV of the Ontario Heritage Act - 174 Old Yonge Street

#### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council state its intention to designate the property at 174 Old Yonge Street (St. John's Rectory) 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, City Council authorize the Solicitor to introduce the Bills in Council designating the property under Part IV of the Ontario Heritage Act.
3. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the Clerk to refer the proposed designation for which there is an objection to the Conservation Review Board.

(September 10, 2007) Report from Director, Policy and Research, City Planning Division

#### Committee Recommendations

The North York Community Council recommends that City Council:

1. state its intention to designate the property at 174 Old Yonge Street(St. John's Rectory) 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, authorize the Solicitor to introduce the Bills in Council designating the property under Part IV of the Ontario Heritage Act; and
3. if there are objections in accordance with Section 29(7) of the Ontario Heritage Act, direct the Clerk to refer the proposed designation for which there is an objection to the Conservation Review Board.

#### Financial Impact

There are no financial implications resulting from the adoption of this report. The public Notice of Intention to Designate will be advertised on the City's web site in accordance with the City of Toronto Act provisions.

### Summary

This report recommends that City Council state its intention to designate the property at 174 Old Yonge Street (St. John's Rectory) under Part IV of the Ontario Heritage Act. The property is listed on the City of Toronto Inventory of Heritage Properties.

There is concern in the community about the future of the site, which contains a house form building constructed as St. John's Rectory and associated with St. John's Anglican Church, York Mills. In order to allow City Council to control the demolition of this building and the potential redevelopment of the property, City Council must state its intention to designate the property under Part IV of the Ontario Heritage Act and give notice of its intention to the property owner.

### Background Information

174 Old Yonge Street - Intention to Designate  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8630.pdf>

### 3a Intention to Designate under Part IV of the Ontario Heritage Act – 174 Old Yonge Street

(November 12, 2007) Letter from Toronto Preservation Board

### Background Information

174 Old Yonge Street - Intention to Designate-'A' item  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8636.pdf>

|         |              |  |  |          |
|---------|--------------|--|--|----------|
| NY11.19 | NO AMENDMENT |  |  | Ward: 23 |
|---------|--------------|--|--|----------|

### Residential Demolition Permit Applications - 1-12 Oakburn Crescent & 14-40 Oakburn Place

#### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motion:

1. City Council approve the request to demolish the subject residential buildings and instruct the Chief Building Official to issue the demolition permits subject to the following conditions:
  - a. prior to the issuance of any demolition permit, any Section 37 agreements

related to the development shall have been executed and registered on title;

- b. prior to the issuance of any demolition permit, the Owner shall have satisfied any conditions contained within the Section 37 agreements that are required to be satisfied prior to demolition permit issuance;
- c. prior to the issuance of any demolition permit, the Owner shall have satisfied any conditions of the draft plan of subdivision approval that are required to be satisfied prior to demolition permit issuance;
- d. prior to the issuance of any demolition permit, the Owner shall have provided to the City to the satisfaction of the Chief Building Official an Environmental Building Audit (including the dust control plan) completed by a qualified environmental consultant;
- e. prior to the issuance of any demolition permit, the Owner shall have obtained any necessary clearances from Parks, Forestry and Recreation (Urban Forestry Services) with respect to tree protection;
- f. prior to the issuance of any demolition permit, the Owner shall have provided a demolition management plan to the satisfaction of the Chief Building Official;
- g. prior to the issuance of any demolition permit, the Owner shall have provided a tenant communication strategy to the City to the satisfaction of the Chief Planner or designate in consultation with the City Solicitor;
- h. the Owner agrees to fulfill all requirements of the Section 37 agreements and the subdivision conditions in relation to demolition control and demolition commencement;
- i. the Owner shall remove all debris and rubble from the site immediately after demolition;
- j. the Owner shall erect a fence in accordance with the provisions of Municipal Code Chapter 363, Article III if deemed appropriate by the Chief Building Official;
- k. the Owner shall maintain the site free of garbage and weeds in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B; and
- l. the Owner shall backfill any holes on the property with clean fill.

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(November 12, 2007) Report from Director, Community Planning, North York District

### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. approve the request to demolish the subject residential buildings and instruct the Chief Building Official to issue the demolition permits subject to the following conditions:
  - a. prior to the issuance of any demolition permit, any Section 37 agreements related to the development shall have been executed and registered on title;
  - b. prior to the issuance of any demolition permit, the Owner shall have satisfied any conditions contained within the Section 37 agreements that are required to be satisfied prior to demolition permit issuance;
  - c. prior to the issuance of any demolition permit, the Owner shall have satisfied any conditions of the draft plan of subdivision approval that are required to be satisfied prior to demolition permit issuance;
  - d. prior to the issuance of any demolition permit, the Owner shall have provided to the City to the satisfaction of the Chief Building Official an Environmental Building Audit (including the dust control plan) completed by a qualified environmental consultant;
  - e. prior to the issuance of any demolition permit, the Owner shall have obtained any necessary clearances from Parks, Forestry and Recreation (Urban Forestry Services) with respect to tree protection;
  - f. prior to the issuance of any demolition permit, the Owner shall have provided a demolition management plan to the satisfaction of the Chief Building Official;
  - g. prior to the issuance of any demolition permit, the Owner shall have provided a tenant communication strategy to the City to the satisfaction of the Chief Planner or designate in consultation with the City Solicitor;
  - h. the Owner agrees to fulfill all requirements of the Section 37 agreements and the subdivision conditions in relation to demolition control and demolition commencement;
  - i. the Owner shall remove all debris and rubble from the site immediately after demolition;
  - j. the Owner shall erect a fence in accordance with the provisions of Municipal Code Chapter 363, Article III if deemed appropriate by the Chief Building Official;
  - k. the Owner shall maintain the site free of garbage and weeds in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B; and
1. the Owner shall backfill any holes on the property with clean fill.

## Financial Impact

There are no financial implications resulting from the adoption of this report.

## Summary

In accordance with Section 33 of the Planning Act and the City of Toronto Municipal Code Ch. 363, Article 11, "Demolition Control", as amended by By-law No. 1009-2006, the harmonized demolition control by-law, applications for demolition permits are referred to North York Community Council to refuse or to grant the applications, including any conditions to be attached to the demolition permits.

This report recommends approval, subject to conditions, of permits for the proposed demolition of 26, 3-storey residential buildings located at 1-12 Oakburn Crescent and 14-40 Oakburn Place, containing a total of 284 existing residential apartment units. The developer requires permission to demolish the existing dwellings in order to proceed with its phased development of 1,195 residential units that was recently approved by the Ontario Municipal Board.

## Background Information

Residential Demolition Permit Applications - 1-12 Oakburn Crescent and 14-40 Oakburn Place  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8603.pdf>

|         |              |  |  |         |
|---------|--------------|--|--|---------|
| NY11.21 | NO AMENDMENT |  |  | Ward: 8 |
|---------|--------------|--|--|---------|

## Traffic Control Signals - Finch Avenue West, approximately 200 metres east of Chesswood Drive

### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council direct that the pedestrian refuge island be removed and that pedestrian-actuated traffic control signals be installed on Finch Avenue West, approximately 200 metres east of Chesswood Drive.
2. City Council direct that the pedestrian-actuated traffic control signals be of the count down variety.
3. City Council direct that the existing bus bays for eastbound and westbound traffic be removed and reconstructed, as detailed in Attachment 2 (Plan NY1657) to the report (October 29, 2007) from the Director, Transportation Services, North York District.
4. City Council direct the City's Legal Division to introduce in Council the appropriate "Road Alterations By-law" to permit the removal of the pedestrian refuge island and construction of the new bus bays.
5. City Council authorize and direct the appropriate City officials to take whatever action is necessary to implement the foregoing, including the introduction in Council of any



Bills that are required.

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(October 29, 2007) Report from Director, Transportation Services, North York District

### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. direct that the pedestrian refuge island be removed and that pedestrian-actuated traffic control signals be installed on Finch Avenue West, approximately 200 metres east of Chesswood Drive;
2. direct that the pedestrian-actuated traffic control signals be of the count down variety;
3. direct that the existing bus bays for eastbound and westbound traffic be removed and reconstructed, as detailed in Attachment 2 (Plan NY1657) to the report (October 29, 2007) from the Director, Transportation Services, North York District;
4. direct the City's Legal Division to introduce in Council the appropriate "Road Alterations By-law" to permit the removal of the pedestrian refuge island and construction of the new bus bays; and
5. authorize and direct the appropriate City officials to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

### **Financial Impact**

All costs associated with the installation of pedestrian-actuated traffic control signals on Finch Avenue West, approximately 200 metres east of Chesswood Drive, estimated at \$125,000, and all civil work, estimated at \$140,000, are included as part of Transportation Services 2008 Capital Works Program estimates.

### **Summary**

To obtain approval for the installation of pedestrian-actuated traffic control signals on Finch Avenue West, approximately 200 metres east of Chesswood Drive.

The installation of pedestrian-actuated traffic control signals at this location is justified and will improve the pedestrian crossing environment on Finch Avenue West.

### **Background Information**

Traffic Control Signals - Finch Avenue West, approximately 200 metres east of Chesswood Drive

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8369.pdf>

Traffic Control Signals - Finch Avenue West, approximately 200 metres east of Chesswood Drive Map Attachment 1

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8370.pdf>

Traffic Control Signals - Finch Avenue West, approximately 200 metres east of Chesswood Drive Map Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8371.pdf>)

|         |              |  |  |         |
|---------|--------------|--|--|---------|
| NY11.22 | NO AMENDMENT |  |  | Ward: 8 |
|---------|--------------|--|--|---------|

## **Parking Regulation Amendment - Sentinel Road, Finch Avenue West to The Pond Road**

### **City Council Decision**

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council amend Schedule VIII of By-law No. 31001, of the former City of North York, by deleting the No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the east side of Sentinel Road, from a point 182 metres north of the northerly limit of Finch Avenue West to the southerly limit of Murray Ross Parkway.
2. City Council amend Schedule VIII of By-law No. 31001, of the former City of North York, by deleting the No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the east side of Sentinel Road, from the northerly limit of Finch Avenue West to a point 137 metres north of the northerly limit of Finch Avenue West.
3. City Council amend Schedule VIII of By-law No. 31001, of the former City of North York, by deleting the No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the west side of Sentinel Road, from the northerly limit of Finch Avenue West to the southerly limit of Murray Ross Parkway.
4. City Council amend Schedule VIII of By-law No. 31001, of the former City of North York, by deleting the No Parking Anytime prohibition on both sides of Sentinel Road, from the northerly limit of Murray Ross Parkway to the southerly limit of The Pond Road.
5. City Council amend Schedule IX of By-law No. 31001, of the former City of North York, by installing a No Stopping Anytime prohibition on both sides of Sentinel Road, from Finch Avenue West to The Pond Road.
6. City Council authorize and direct the appropriate City officials to take whatever action is deemed necessary to implement the foregoing including the introduction in Council of any bills that are required.

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(November 1, 2007) Report from Director, Transportation Services, North York District

### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. amend Schedule VIII of By-law No. 31001, of the former City of North York, by deleting the No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the east side of Sentinel Road, from a point 182 metres north of the northerly limit of Finch Avenue West to the southerly limit of Murray Ross Parkway;
2. amend Schedule VIII of By-law No. 31001, of the former City of North York, by deleting the No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the east side of Sentinel Road, from the northerly limit of Finch Avenue West to a point 137 metres north of the northerly limit of Finch Avenue West;
3. amend Schedule VIII of By-law No. 31001, of the former City of North York, by deleting the No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the west side of Sentinel Road, from the northerly limit of Finch Avenue West to the southerly limit of Murray Ross Parkway;
4. amend Schedule VIII of By-law No. 31001, of the former City of North York, by deleting the No Parking Anytime prohibition on both sides of Sentinel Road, from the northerly limit of Murray Ross Parkway to the southerly limit of The Pond Road;
5. amend Schedule IX of By-law No. 31001, of the former City of North York, by installing a No Stopping Anytime prohibition on both sides of Sentinel Road, from Finch Avenue West to The Pond Road; and
6. authorize and direct the appropriate City Officials to take whatever action is deemed necessary to implement the foregoing including the introduction in Council of any bills that are required.

### **Financial Impact**

All costs associated with the amendments to the parking regulations are included within the Transportation Services Division, North York District's 2007 Operating Budget.

### **Summary**

To obtain approval to amend the existing parking regulations on both sides of Sentinel Road, between Finch Avenue West and The Pond Road, in order to eliminate all on-street parking/stopping within the limits of the bicycle lanes.

The parking regulation amendments will address the conflict between on-street parking/stopping and cyclists.

### **Background Information**

Parking Regulation Amendment - Sentinel Road, Finch Avenue West to The Pond Road  
(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8372.pdf>)

Parking Regulation Amendment - Sentinel Road, Finch Avenue West to The Pond Road Map  
Attachment 1

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8373.pdf>

|         |              |  |  |          |
|---------|--------------|--|--|----------|
| NY11.24 | NO AMENDMENT |  |  | Ward: 15 |
|---------|--------------|--|--|----------|

## Turn/Entry Prohibition - 3303 Dufferin Street

### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council prohibit westbound left turns to Dufferin Street at all times, from the private driveway at 3303 Dufferin Street, on the east side of Dufferin Street, 18 metres north of Ranee Avenue.
2. City Council prohibit entry at all times, from Dufferin Street to the private driveway at 3303 Dufferin Street, 18 metres north of Ranee Avenue.
3. City Council authorize and direct the appropriate City officials to take whatever action is necessary to give affect to the foregoing, including the introduction in Council of any Bills that are required.

(November 1, 2007) Report from Director, Transportation Services, North York District

### Committee Recommendations

The North York Community Council recommends that City Council:

1. prohibit westbound left turns to Dufferin Street at all times, from the private driveway at 3303 Dufferin Street, on the east side of Dufferin Street, 18 metres north of Ranee Avenue;
2. prohibit entry at all times, from Dufferin Street to the private driveway at 3303 Dufferin Street, 18 metres north of Ranee Avenue; and
3. authorize and direct the appropriate City officials to take whatever action is necessary to give affect to the foregoing, including the introduction in Council of any Bills that are required.

### Financial Impact

All costs associated with the implementation of the turn and entry prohibitions at 3303 Dufferin Street, are included within the Transportation Services Division, North York District's 2007 Operating Budget.

### Summary

To obtain approval to implement a westbound left turn prohibition and an entry prohibition at

the private driveway for 3303 Dufferin Street, located on the east side of Dufferin Street, north of Rane Avenue.

The installation of the turn prohibition and entry prohibition will allow for effective enforcement by the Toronto Police Service.

### Background Information

Turn/Entry Prohibition - 3303 Dufferin Street

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8355.pdf>)

Turn/Entry Prohibition - 3303 Dufferin Street Map Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8356.pdf>)

|         |              |  |  |          |
|---------|--------------|--|--|----------|
| NY11.27 | NO AMENDMENT |  |  | Ward: 23 |
|---------|--------------|--|--|----------|

### Prohibited U-Turns - Sheppard Avenue East at Bonnington Place

#### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council prohibit westbound U-turns at anytime on Sheppard Avenue East, between Bonnington Place and Doris Avenue.
2. City Council authorize and direct the appropriate City officials to take whatever action deemed necessary to implement the foregoing including the introduction in Council of any bills that are required.

(November 1, 2007) Report from Director, Transportation Services, North York District

#### Committee Recommendations

The North York Community Council recommends that City Council:

1. prohibit westbound u-turns at anytime on Sheppard Avenue East, between Bonnington Place and Doris Avenue; and
2. authorize and direct the appropriate City Officials to take whatever action deemed necessary to implement the foregoing including the introduction in Council of any bills that are required.

#### Financial Impact

All costs associated with the implementation of the u-turn prohibition are included within the Transportation Services Division, North York District's 2007 Operating Budget.

#### Summary

To obtain approval to prohibit westbound u-turns on Sheppard Avenue East, between Bonnington Place and Doris Avenue.

The implementation of the prohibited u-turns will improve safety on Sheppard Avenue East, between Bonnington Place and Doris Avenue.

### Background Information

Prohibited U-Turns - Sheppard Avenue East at Bonnington Place

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8353.pdf>)

Prohibited U-Turns - Sheppard Avenue East at Bonnington Place Map Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8354.pdf>)

|         |              |  |  |          |
|---------|--------------|--|--|----------|
| NY11.34 | NO AMENDMENT |  |  | Ward: 25 |
|---------|--------------|--|--|----------|

### Final Report - Rezoning Application - 4155 Yonge Street

#### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4 to the report (October 2, 2007) from the Director, Community Planning, North York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council require the applicant, before introducing the necessary Bills to City Council for enactment, to amend the existing Site Plan Control Agreement registered on title under Section 41 of the Planning Act to provide garbage bins on site and resurface the parking lot with permeable pavers.
4. City Council grant approval for site plan only after the applicant has provided evidence to the satisfaction of the Chief Planner, that the applicant has made the necessary application and paid the required fees for a licence to operate a commercial parking lot.
5. City Council receive the report (November 22, 2007) and Confidential Attachment 1 from the City Solicitor.
6. City Council not authorize the public release of Confidential Attachment 1 to the report (November 22, 2007) from the City Solicitor.

Confidential Attachment 1 to the report (November 22, 2007) from the City Solicitor (NY11.34a), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege.

(October 2, 2007) Report from Director, Community Planning, North York District

### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4 to the report (October 2, 2007) from the Director, Community Planning, North York District;
2. authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;
3. require the applicant, before introducing the necessary Bills to City Council for enactment, to amend the existing Site Plan Control Agreement registered on title under Section 41 of the Planning Act to provide garbage bins on site and resurface the parking lot with permeable pavers;
4. grant approval for site plan only after the applicant has provided evidence to the satisfaction of the Chief Planner, that the applicant has made the necessary application and paid the required fees for a licence to operate a commercial parking lot;
5. receive the confidential report (November 22, 2007) in Attachment 1 from the City Solicitor; and
6. not authorize the public release of the confidential report (November 22, 2007) in Attachment 1 from the City Solicitor.

### **Decision Advice and Other Information**

The North York Community Council held a statutory public meeting on October 30, 2007; and notice was given in accordance with the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Summary**

This application proposes to amend the Zoning By-law to permit an existing temporary parking lot to operate as a permanent use at 4155 Yonge Street.

This report reviews and recommends approval of the application to amend the Zoning By-law. The temporary use of the lands for a parking lot was permitted through a series of temporary use By-laws, the first of which expired in 1995, and the latest on April 14, 2006. The proposal would not change the function of the property, but would allow the existing parking lot, operating for the past 12 years, to continue as a permanent use. The proposal does not conflict

with the policies of the City of Toronto Official Plan.

### **Background Information**

Final Report - Rezoning Application - 4155 Yonge Street  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8036.pdf>

### **Speakers**

Mark Pavkovic, , Development-Coordinator, Ire-Yonge Developers Inc., applicant, on Oct. 30 & Nov. 27, 2007

Jonathan Goldsbie, Campaign Coordinator, Toronto Public Space Committee, on Oct. 30 and Nov. 27, 2007

### **34a 4155 Yonge Street - Rezoning Application**

**Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege**

(November 22, 2007) Report from City Solicitor

### **Summary**

This report responds to a request from North York Community Council for a report regarding the legality of imposing certain conditions on the approval of a zoning by-law amendment to permit an existing temporary parking lot to operate as a permanent parking lot.

### **Background Information**

4155 Yonge Street  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-9061.pdf>

|         |              |  |  |              |
|---------|--------------|--|--|--------------|
| NY11.35 | NO AMENDMENT |  |  | Ward: 23, 24 |
|---------|--------------|--|--|--------------|

### **North York Centre Secondary Plan - Amendments to the Density Incentive for Below-Grade Bicycle Storage - OMB Appeals and Proposed Settlement Report**

**Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege**

### **City Council Decision**

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1 to the report



(November 8, 2007) from the Director, Community Planning, North York District.

2. City Council authorize the public release of the confidential recommendations and information in Attachment 1 to the report (November 8, 2007) from the Director, Community Planning, North York District, if the recommendations are adopted by Council.

Confidential Attachment 1 to the report (November 8, 2007) from the Director, Community Planning, North York District, is now public and contains the following recommendation:

The following revisions to the North York Centre Secondary Plan and Appendix be presented as a settlement before the Ontario Municipal Board (OMB):

1. That the North York Centre Secondary Plan policies require that bicycle parking spaces be located in an at-grade common bicycle room with a minimum of 0.1 spaces per dwelling unit.
2. That a North York Centre Bicycle Parking Policy - Appendix 1(a) be established for bicycle parking.
3. That the bicycle parking policies in the North York Centre Secondary Plan be implemented through the Zoning By-law.
4. That the Bicycle Parking policy provide for all types of bicycle parking spaces (e.g., racks, lockers, etc.).
5. That the requirement for storage lockers be deleted and any storage lockers provided in a development be included in the calculation of gross floor area.
6. That detailed revisions to the North York Centre Secondary Plan and Parking Policy be made to implement the proposed policies identified above, and address any typographic and stylistic matters.

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(November 8, 2007) Report from Director, Community Planning, North York District

### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. adopt the confidential recommendations in Attachment 1 to the report (November 8, 2007) from the Director, Community Planning, North York District; and
2. authorize the public release of the confidential recommendations and information in Attachment 1 to the report (November 8, 2007) from the Director, Community Planning, North York District, if the recommendations are adopted by Council.

### **Financial Impact**

The recommendations in this report have no financial impact.

## Summary

City Council's adopted amendment to the North York Centre Secondary Plan respecting below-grade bicycle storage has been appealed to the Ontario Municipal Board (OMB). Staff have met with the appellants to discuss proposed changes that would form the basis of a settlement before the OMB.

The purpose of this report is to summarize the appellant's issues and recommend changes that would form the basis of a settlement before the OMB. As this matter is currently before the OMB, Staffs' recommended changes are provided as Confidential Information in Attachments 1a) to 1e).

## Background Information

Below-Grade Bicycle Storage OMB Appeals and Proposed Settlement Report  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8479.pdf>

|         |              |  |  |          |
|---------|--------------|--|--|----------|
| NY11.36 | NO AMENDMENT |  |  | Ward: 24 |
|---------|--------------|--|--|----------|

## Final Report – Common Elements Condominium Application and Part Lot Control Exemption Application – 198 & 202 Finch Avenue East

### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. In accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner or his designate intends to approve the Draft Plan of Common Elements Condominium, as generally illustrated on Attachment 1 to the report (November 13, 2007) from the Director, Community Planning, North York District, subject to:
  - a. the conditions as generally listed in Attachment 2 to the report (November 13, 2007) from the Director, Community Planning, North York District, which except as otherwise noted must be fulfilled prior to the release of the Plan of Condominium for registration; and
  - b. any such revisions to the proposed condominium plan or any such additional or modified conditions as the Chief Planner deems to be appropriate to address matters arising from the on-going technical review of this development.
2. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands, to be prepared to the satisfaction of the City Solicitor, and that such By-law shall expire two years after it has been enacted;

3. City Council authorize the City Solicitor to introduce the necessary Bill provided that prior to the introduction of the Bill:
  - a. the owner provides proof of payment to the satisfaction of the City Solicitor of all tax arrears and current property taxes for the subject site; and
  - b. the owner of the subject lands has registered, satisfactory to the City Solicitor, a Section 118 restriction under the Land Titles Act agreeing not to transfer or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate.
4. City Council authorize and direct the appropriate City officials to register the Part Lot Control Exemption By-law on title.
5. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 restriction at such time as the Common Elements Condominium Plan has been registered.

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Statutory - Planning Act, RSO 1990

(November 13, 2007) Report from Director, Community Planning, North York District

### **Committee Recommendations**

The North York Community Council recommends that:

1. In accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner or his designate intends to approve the Draft Plan of Common Elements Condominium, as generally illustrated on Attachment 1 to the report (November 13, 2007) from the Director, Community Planning, North York District, subject to:
  - a. the conditions as generally listed in Attachment 2 to the report (November 13, 2007) from the Director, Community Planning, North York District, which except as otherwise noted must be fulfilled prior to the release of the Plan of Condominium for registration; and
  - b. any such revisions to the proposed condominium plan or any such additional or modified conditions as the Chief Planner deems to be appropriate to address matters arising from the on-going technical review of this development;
2. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands, to be prepared to the satisfaction of the City Solicitor, and that such By-law shall expire two years after it has been enacted;
3. City Council authorize the City Solicitor to introduce the necessary Bill provided that prior to the introduction of the Bill:

- a. the owner provides proof of payment to the satisfaction of the City Solicitor of all tax arrears and current property taxes for the subject site; and
  - b. the owner of the subject lands has registered, satisfactory to the City Solicitor, a Section 118 restriction under the Land Titles Act agreeing not to transfer or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate;
4. City Council authorize and direct the appropriate City Officials to register the Part Lot Control Exemption By-law on title; and
  5. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 restriction at such time as the Common Elements Condominium Plan has been registered.

### **Decision Advice and Other Information**

The North York Community Council held a statutory public meeting on November 27, 2007, and notice was given in accordance with the Planning Act. No one addressed the North York Community Council on November 27, 2007.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Summary**

The applications for Draft Plan of Common Elements Condominium and Part Lot Control Exemption were made after January 1, 2007 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006. The new provisions for Draft Plan of Common Elements Condominium now require that a public meeting be held.

The application for a common elements condominium proposes a common driveway and landscape strip on lands known municipally as 198 and 202 Finch Avenue East. The application is required to provide legal access to the individual units and to ensure shared ownership and maintenance of the driveway and landscaping by the condominium corporation.

The requested exemption from the Part Lot Control provisions of the Planning Act is required in order to permit the creation of conveyable lots for seven, 3-storey residential townhouses. In addition, this report recommends that the owner of the lands be required to register a Section 118 Restriction under the Land Titles Act agreeing not to convey or mortgage any part of the lands without the prior consent of the Chief Planner or his designate.

This report reviews and recommends approval of the Draft Plan of Common Elements Condominium and approval of the application for Part Lot Control Exemption.

### **Background Information**

Final Report - Common Elements Condominium Application and Part Lot Control Exemption

Application - 198 & 202 Finch Avenue East  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8343.pdf>

### Communications

(November 16, 2007) e-mail from W. A. Harrison (NY.New.NY11.36.1)

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| NY11.37 | NO AMENDMENT |  |  | Ward: 23 |
|---------|--------------|--|--|----------|

### Final Report - Rezoning, Site Plan - 112 Spring Garden Avenue

#### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council amend Zoning By-law No. 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the report (November 8, 2007) from the Director, Community Planning, North York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council approve, in principle, the site plan drawings and Site Plan Control Approval Conditions listed in Attachment 10 to the report (November 8, 2007) from the Director, Community Planning, North York District, subject to stylistic and technical changes.
4. City Council authorize the Chief Planner or his designate to issue final approval of the Site Plan Control Application once the conditions set out in Attachment 10 to the report (November 8, 2007) from the Director, Community Planning, North York District, are satisfied, including entering into a satisfactory Site Plan Control Agreement.

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Statutory - Planning Act, RSO 1990

(November 8, 2007) Report from Director, Community Planning, North York District

#### Committee Recommendations

The North York Community Council recommends that City Council:

1. amend Zoning By-law No. 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the report (November 8, 2007) from the Director, Community Planning, North York District;
2. authorize the City Solicitor to make such stylistic and technical changes to the draft

Zoning By-law Amendment as may be required;

3. approve in principal the site plan drawings and Site Plan Control Approval Conditions listed in Attachment 10 to the report (November 8, 2007) from the Director, Community Planning, North York District, subject to stylistic and technical changes; and
4. authorize the Chief Planner or his designate to issue final approval of the Site Plan Control Application once the conditions set out in Attachment 10 to the report (November 8, 2007) from the Director, Community Planning, North York District, are satisfied, including entering into a satisfactory Site Plan Control Agreement.

### **Decision Advice and Other Information**

The North York Community Council held a statutory public meeting on November 27, 2007, and notice was given in accordance with the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Summary**

This application proposes to amend the Zoning By-law to permit the construction of a one storey addition to the existing place of worship at 112 Spring Garden Avenue. The addition would consist of a gymnasium and recreational and program space for present and future church and community programs.

The application conforms to the policies of the North York Centre Secondary Plan. The proposed development is less than the permitted density of 1.5 times the area of the lot and is lower than the maximum permitted building height. The addition would also retain and enhance the place of worship's ability to contribute to the recreational and community needs of the North York Centre residents.

For these reasons, this report reviews and recommends approval of the application to amend the Zoning By-law and approval in principle of the Site Plan Control Application.

### **Background Information**

Final Report - Rezoning, Site Plan - 112 Spring Garden Avenue  
(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8379.pdf>)

### **Communications**

- (November 21, 2007) e-mail from Phyllis Broder (NY.New.NY11.37.1)
- (November 26, 2007) e-mail from Farshid Eshghpour and Haydeh Fayaz Larijani (NY.New.NY11.37.2)
- (November 26, 2007) e-mail from Tony Gulotta (NY.New.NY11.37.3)

### **Speakers**

Tony Gulotta  
 Arash Eshghpour, on behalf of Farshid Eshghpour  
 Doug Willson, Spring Garden Church  
 Robert Weinert, representing MTCC No. 733

|         |              |  |  |          |
|---------|--------------|--|--|----------|
| NY11.38 | NO AMENDMENT |  |  | Ward: 23 |
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### **Request for Direction Report - Rezoning & Site Plan Control Applications - 2996-3004 Bayview Avenue**

#### **City Council Decision**

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council support, in principle, an amendment to the Zoning By-law to allow two single detached dwellings and fourteen townhouses on the site with a maximum combined gross floor area of 3,422 m<sup>2</sup>, subject to the provisions as generally outlined in Attachment 5 to the report (November 12, 2007) from the Director, Community Planning, North York District.
2. City Council support, in principle, the Site Plan Control application for the proposed development, subject to the rezoning requirements of Recommendation 2, and subject to the site plan control approval conditions, as outlined in Attachment 6 of the report (November 12, 2007) from the Director, Community Planning, North York District, with Recommendation 2 of Attachment 6 being amended to read as follows:
  - “2. The Owner shall provide final architectural and landscape plans to the satisfaction of the Director, Community Planning, North York District, and the Ward Councillor, detailing the following matters:
    - a. revisions to the plans and statistics accompanying the plans to provide a minimum 3 metre setback from Bayview Avenue property line; and
    - b. revisions to the section and elevation drawings to further illustrate additional architectural detailing of the townhouse units.”.
3. City Council authorize the City Solicitor and the appropriate City staff to attend at the Ontario Municipal Board to support the above recommendations as further outlined in this report and authorize the City Solicitor and any other appropriate City staff to take such actions as necessary to give effect to the recommendations of the report (November 12, 2007) from the Director, Community Planning, North York District.

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(November 12, 2007) Report from Director, Community Planning, North York District

#### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. support in principle an amendment to the Zoning By-law to allow two single detached dwellings and fourteen townhouses on the site with a maximum combined gross floor area of 3,422 m<sup>2</sup> subject to the provisions as generally outlined in Attachment 5 to the report (November 12, 2007) from the Director, Community Planning, North York District;
2. support, in principle, the Site Plan Control application for the proposed development, subject to the rezoning requirements of Recommendation (2), and subject to the site plan control approval conditions, as outlined in Attachment 6 of the report (November 12, 2007) from the Director, Community Planning, North York District, with Recommendation 2. of Attachment 6 being amended to read as follows:
  - “2. The Owner shall provide final architectural and landscape plans to the satisfaction of the Director, Community Planning, North York District, and the Ward Councillor, detailing the following matters:
    - a. revisions to the plans and statistics accompanying the plans to provide a minimum 3 metre setback from Bayview Avenue property line; and
    - b. revisions to the section and elevation drawings to further illustrate additional architectural detailing of the townhouse units”; and
3. authorize the City Solicitor and the appropriate City staff to attend at the Ontario Municipal Board to support the above recommendations as further outlined in this report and authorize the City Solicitor and any other appropriate City staff to take such actions as necessary to give effect to the recommendations of the report (November 12, 2007) from the Director, Community Planning, North York District.

## Summary

An application for rezoning has been submitted to permit fourteen 3-storey townhouses and 2 single detached dwellings at 2996 – 3004 Bayview Avenue.

The purpose of this report is to seek Council’s direction for staff to attend the Ontario Municipal Board in support of the position described herein to support the applications for Zoning By-law Amendment and Site Plan Control Approval.

## Background Information

Rezoning & Site Plan Control Applications - Request for Direction Report - 2996-3004 Bayview Avenue  
(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8588.pdf>)

## Communications

(November 25, 2007) e-mail from Barry McMonagle, President, Bayview Willowdale Homeowners Assoc. Inc. (NY.New.NY11.38.1)



(November 26, 2007) e-mail from Antonio and Cynthia Mandrique (NY.New.NY11.38.2)

### Speakers

John Dawson, McCarthy Tetrault, on behalf of the applicant

|         |              |  |  |          |
|---------|--------------|--|--|----------|
| NY11.39 | NO AMENDMENT |  |  | Ward: 23 |
|---------|--------------|--|--|----------|

### Final Report - Official Plan Amendment - 20 Senlac Road

#### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motion:

1. City Council refuse the application for an Official Plan Amendment, in order to be consistent with City Council's previous decision of September 27, 2007, to refuse the rezoning application on the site for reasons which included a lack of driveways and front yards for all of the proposed dwellings.

Statutory - Planning Act, RSO 1990

(November 12, 2007) Report from Director, Community Planning, North York District

#### Committee Recommendations

The North York Community Council recommends that City Council:

1. refuse the application for an Official Plan Amendment, in order to be consistent with City Council's previous decision of September 27, 2007, to refuse the rezoning application on the site for reasons which included a lack of driveways and front yards for all of the proposed dwellings.

#### Decision Advice and Other Information

The North York Community Council held a statutory public meeting on November 27, 2007, and notice was given in accordance with the Planning Act.

A recorded vote on the Recommendation moved by Councillor Filion, Ward 23 – Willowdale, was as follows:

For: Councillors Augimeri, Carroll, Filion, Jenkins, Moscoe

Against: Councillors Feldman, Minnan-Wong, Perruzza, Stintz

Absent: Councillors Parker, Shiner

Carried

## Financial Impact

There are no financial implications resulting from the adoption of this report.

## Summary

An application for an Official Plan Amendment has been submitted to permit four single detached residential dwellings at 20 Senlac Road. At the time of the original rezoning application in 2004, the proposed development conformed to the former City of North York's Official Plan. This application is required to permit the development to be within 10 metres of top-of-bank of the adjacent ravine, a requirement of the City of Toronto Official Plan.

The purpose of this report is to recommend approval of the proposed Official Plan Amendment.

## Background Information

Final Report - Official Plan Amendment - 20 Senlac Road  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8559.pdf>

## Speakers

Milton Berger, on behalf of the applicant  
 Georgetta Semlyen

|         |              |  |               |          |
|---------|--------------|--|---------------|----------|
| NY11.40 | NO AMENDMENT |  | Transactional | Ward: 10 |
|---------|--------------|--|---------------|----------|

## Final Report - Official Plan and Zoning By-law Amendment Applications - Demolition Application under Municipal Code Chapter 667 - 695 – 717 Sheppard Avenue West

### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment 8 to the report (November 13, 2007) from the Director, Community Planning, North York District.
2. City Council amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9 to the report (November 13, 2007) from the Director, Community Planning, North York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. City Council require the owner, before introducing the necessary Bills for enactment,

to enter into a Section 37 Agreement with the City to the satisfaction of the City Solicitor to provide or fund the following facilities, services and/or matters:

- a. a cash contribution of \$180,000.00 to be dedicated to improving existing recreational capital facilities in the local area, the specific location to be determined through continuing discussions between City Planning staff, the Local Councillor, Parks, Forestry and Recreation staff and other City Divisions as required;
  - b. a cash contribution of \$25,000.00 to be dedicated to landscaping a remnant parcel created by the realignment of the Sheppard Avenue West and Yeomans Road intersection abutting the development parcel on the east; and
  - c. a cash contribution of \$150,000.00 in lieu of replacement of any of the residential rental units to be demolished, subject to the conditions of approval of the demolition permit under Municipal Code Chapter 667. This payment is to be directed to the Capital Revolving Fund for Affordable Housing.
5. City Council approve the application to demolish the existing 11 houses at 695, 697, 699, 701, 703, 705, 707, 711, 713, 715 and 717 Sheppard Avenue West, pursuant to Municipal Code Chapters 667 and 363, subject to the following condition under Chapter 667:
- a. the owner of the property to make a cash payment to the City in the amount of \$150,000.00 in lieu of replacement of any residential rental units contained on the subject properties, prior to the issuance by the Chief Planner of preliminary approval of the application under Chapter 667. This payment is to be directed to the Capital Revolving Fund for Affordable Housing.
6. City Council authorize the Chief Planner to issue a preliminary approval to the application to demolish the rental housing units under Municipal Code Chapter 667 after the condition in Recommendation 5a is satisfied.
7. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner has issued the preliminary approval in Recommendation 6 to the report (November 13, 2007) from the Director, Community Planning, North York District, on the condition that:
- a. prior to the issuance of the demolition permit, the Site Plan Control application for the temporary sales pavilion has been approved, including the submission of financial securities to guarantee landscaping provisions on site to the satisfaction of the Director, Community Planning, North York District;
  - b. the owner remove all debris and rubble from the site immediately after demolition;
  - c. the owner erect a fence in accordance with the provisions of Municipal Code Chapter 363, Article III if deemed appropriate by the Chief Building Official;

- d. the owner maintain the site free of garbage and weeds in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B;
  - e. the owner backfills any holes on the property with clean fill;
  - f. the owner erect a residential building on site no later than three (3) years from the day demolition of the buildings is commenced; and
  - g. should the owner fail to complete the new building within the time specified in condition f., the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
8. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act, after the Chief Planner has given preliminary approval under Recommendation 6 to the report (November 13, 2007) from the Director, Community Planning, North York District, which permit may be included in the demolition permit for Chapter 667 under § 363-11.1E, of the Municipal Code.
9. City Council require that:
- a. each unit be internally equipped with built-in source separation facilities designed to assist the City in reaching its 70% diversion objectives to the satisfaction of the General Manager, Solid Waste Management Services; and
  - b. storage be provided in the proposed building to accommodate the City's new waste collection system.
10. City Council request the owner to:
- a. move the proposed vehicle turning circle at the rear of the property closer to the proposed building;
  - b. come up with a construction plan that keeps all trucks on Sheppard Avenue West and parking by workers on-site whenever possible;
  - c. negotiate with the owners of the church located next to the subject site for use of their parking lot during working hours when it is not in use by the church; and
  - d. make every attempt to maximize tree preservation on site.

(November 13, 2007) Report from Director, Community Planning, North York District

### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment 8 to the report (November 13, 2007) from the Director, Community Planning, North York District;
2. amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9 to the report (November 13, 2007) from the Director, Community Planning, North York District;
3. authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
4. require the owner, before introducing the necessary Bills for enactment, to enter into a Section 37 Agreement with the City to the satisfaction of the City Solicitor to provide or fund the following facilities, services and/or matters:
  - a. a cash contribution of \$180,000.00 to be dedicated to improving existing recreational capital facilities in the local area, the specific location to be determined through continuing discussions between City Planning staff, the Local Councillor, Parks, Forestry and Recreation staff and other City Divisions as required;
  - b. a cash contribution of \$25,000.00 to be dedicated to landscaping a remnant parcel created by the realignment of the Sheppard Avenue West and Yeomans Road intersection abutting the development parcel on the east; and
  - c. a cash contribution of \$150,000.00 in lieu of replacement of any of the residential rental units to be demolished, subject to the conditions of approval of the demolition permit under Municipal Code Chapter 667. This payment is to be directed to the Capital Revolving Fund for Affordable Housing;
5. approve the application to demolish the existing 11 houses at 695, 697, 699, 701, 703, 705, 707, 711, 713, 715, and 717 Sheppard Avenue West, pursuant to Municipal Code Chapters 667 and 363, subject to the following condition under Chapter 667:
  - a. the owner of the property to make a cash payment to the City in the amount of \$150,000.00 in lieu of replacement of any residential rental units contained on the subject properties, prior to the issuance by the Chief Planner of preliminary approval of the application under Chapter 667. This payment is to be directed to the Capital Revolving Fund for Affordable Housing;
6. authorize the Chief Planner to issue a preliminary approval to the application to demolish the rental housing units under Municipal Code Chapter 667 after the condition

in Recommendation 5a is satisfied;

7. authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner has issued the preliminary approval in Recommendation 6 to the report (November 13, 2007) from the Director, Community Planning, North York District, on the condition that:
  - a. prior to the issuance of the demolition permit, the Site Plan Control application for the temporary sales pavilion has been approved, including the submission of financial securities to guarantee landscaping provisions on site to the satisfaction of the Director, Community Planning, North York District;
  - b. the owner remove all debris and rubble from the site immediately after demolition;
  - c. the owner erect a fence in accordance with the provisions of Municipal Code Chapter 363, Article III if deemed appropriate by the Chief Building Official;
  - d. the owner maintain the site free of garbage and weeds in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B;
  - e. the owner backfills any holes on the property with clean fill;
  - f. the owner erect a residential building on site no later than three (3) years from the day demolition of the buildings is commenced; and
  - g. should the owner fail to complete the new building within the time specified in condition f., the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued;
8. authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act, after the Chief Planner has given preliminary approval under Recommendation 6 to the report (November 13, 2007) from the Director, Community Planning, North York District, which permit may be included in the demolition permit for Chapter 667 under § 363-11.1E, of the Municipal Code;
9. require that:
  - a. each unit be internally equipped with built-in source separation facilities designed to assist the City in reaching its 70% diversion objectives to the satisfaction of the General Manager, Solid Waste Management Services; and
  - b. storage be provided in the proposed building to accommodate the City's new waste collection system; and

10. request the owner to:
- a. move the proposed vehicle turning circle at the rear of the property closer to the proposed building;
  - b. come up with a construction plan that keeps all trucks on Sheppard Avenue West and parking by workers on-site whenever possible;
  - c. negotiate with the owners of the church located next to the subject site for use of their parking lot during working hours when it is not in use by the church; and
  - d. make every attempt to maximize tree preservation on site.

### **Decision Advice and Other Information**

The North York Community Council held a statutory public meeting on November 27, 2007, and notice was given in accordance with the Planning Act.

A staff presentation was made by Christian Ventresca, Planner, Community Planning, North York District.

A recorded vote on Recommendation 4c. and Recommendation 5a. moved by Councillor Moscoe, Ward 15 – Eglinton -Lawrence, was as follows:

For: Councillors Augimeri, Carroll, Filion, Jenkins, Minnan-Wong, Moscoe

Against: Councillors Feldman, Parker, Stintz

Absent: Councillors Perruzza, Shiner

Carried

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Summary**

The redevelopment applications were made after January 1, 2007 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The Planning Act applications propose to amend the Sheppard West/Dublin Secondary Plan and Zoning By-law 7625 to permit the construction of an eight-storey mixed-use building with commercial uses at grade and residential units above at 695 – 717 Sheppard Avenue West. This development parcel is comprised of an assembly of 11 properties that previously contained 11 rental housing units and one owner-occupied unit. The application under Chapter 667 of the Municipal Code proposes the demolition of the 11 rental dwelling units which is prohibited without a permit issued under Section 111 of the City of Toronto Act.

The redevelopment proposal is in keeping with the objectives of the Secondary Plan to encourage a diversity of office, commercial, institutional and residential uses along Sheppard Avenue West while protecting the abutting lower density residential uses.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law and approval of the application to demolish the existing single detached dwellings.

### Background Information

Final Report - Official Plan and Zoning By-law Amendment Applications - Demolition Application under Municipal Code Chapter 667 - 695 y 717 Sheppard Avenue West (<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-8605.pdf>)

### Communications

- (November 17, 2007) e-mail from Grace Anfusio (NY.New.NY11.40.1)
- (November 20, 2007) letter from Stan Steinman, forwarding a petition signed by 11 property owners in the area in support of the application (NY.New.NY11.40.2)
- (November 24, 2007) e-mail from Steve Ranot (NY.New.NY11.40.3)
- (November 26, 2007) e-mail from Shabniz Jaffer (NY.New.NY11.40.4)
- (November 26, 2007) letter from Karen Bookman (NY.New.NY11.40.5)
- (November 27, 2007) letter from Pio Raponi (NY.New.NY11.40.6)

### Speakers

Rob Dolan, Land Use Planner, Aird & Berlis, on behalf of the applicant  
 Pio Raponi  
 Karen Bookman  
 Laurie Cochrane  
 Sergiy Kaznadiy

|         |                          |  |               |          |
|---------|--------------------------|--|---------------|----------|
| NY11.42 | RECEIVED FOR INFORMATION |  | Transactional | Ward: 10 |
|---------|--------------------------|--|---------------|----------|

### Staff Representation at the Ontario Municipal Board - 105 York Downs Drive

### City Council Decision

City Council on December 11, 12 and 13, 2007, received this Item for information.

(November 27, 2007) Member Motion from Councillor Feldman

### Committee Recommendations

The North York Community Council recommends that City Council:

1. authorize the City Solicitor to retain outside Planning representation and to attend the



Ontario Municipal Board hearing to uphold the Committee's decisions.

### Summary

Antonietta Mozzone, the owner of 105 York Downs Drive, made an application to the Committee of Adjustment, North York District for the division of a parcel of residential lands into two parts for the creation of a new residential building lot.

Minor Variance Applications were also made for the construction of a new two storey dwelling on each of the proposed lots. Variances were requested with respect to lot frontage and width, lot area, east and west side yard setbacks, lot coverage, dwelling height, finished first floor elevation and front yard hard surface area.

The applications were considered by the Committee of Adjustment on July 4th, 2007, where it was the decision of the Committee to refuse the severance and the associated minor variance applications.

Planning staff reported that the proposed severance would result in lots that were in keeping with the surrounding lot pattern in the immediate area. Staff further reported that the proposed lots were similar to the lots located at 99 and 99A York Downs Drive and the proposed dwellings at 105 York Downs Drive should be built within the parameters of variances granted for those lots. Staff recommended amendments to the variances requested.

The applicant appealed the Committee's refusal of the Consent and the Minor Variance Applications to the Ontario Municipal Board.

The Ontario Municipal Board has set December 18th, 2007 as the date for the hearing.

The Councillor is requesting that Legal staff and outside planning consultants attend the Ontario Municipal Board hearing in support of the Committee's decision.

### Background Information

Motion - Staff Representation at the Ontario Municipal Board - 105 York Downs Drive  
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-9078.pdf>

|         |              |  |               |          |
|---------|--------------|--|---------------|----------|
| NY11.43 | NO AMENDMENT |  | Transactional | Ward: 23 |
|---------|--------------|--|---------------|----------|

### Staff Representation at the Ontario Municipal Board – 272-278 Horsham Avenue

### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motion:

1. City Council authorize the City Solicitor and Planning staff to attend the Ontario Municipal Board hearing to uphold the Committee's decisions.

(November 27, 2007) Member Motion from Councillor Filion

### **Committee Recommendations**

The North York Community Council recommends that City Council:

1. authorize the City Solicitor and Planning staff to attend the Ontario Municipal Board hearing to uphold the Committee's decisions.

### **Summary**

Michael DiTrani, John DiTrani, Rocco DiTrani, Vita Maria DiTrani, and Vicki DiTrani, the owners of 272 and 278 Horsham Avenue, made an application to the Committee of Adjustment, North York District for the division of two (2) parcels of residential lands into three (3) parts for the creation of a new residential building lot.

Minor Variance Applications were also made for the construction of a new two storey dwelling on two of the proposed lots and the retention of the existing dwelling and detached garage on the remaining lot. Variances were requested with respect to lot frontage and width, lot area, east and west side yard setbacks, lot coverage, below grade garages, finished first floor elevation and front yard soft landscaping.

The applications were considered by the Committee of Adjustment on October 24th, 2007, where it was the decision of the Committee to refuse the severance applications and the associated minor variance applications.

Planning staff did not report on the matter. An area lot study and an area below grade garage study were included in the package submitted.

The applicant appealed the Committee's refusal of the Consent and the Minor Variance Applications to the Ontario Municipal Board.

The Ontario Municipal Board has not set a date for this hearing.

The Councillor is requesting that Legal and Planning staff attend the Ontario Municipal Board hearing in support of the Committee's decision.

### **Background Information**

Staff Representation at the Ontario Municipal Board - 272-278 Horsham Avenue  
(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-9079.pdf>)

*Submitted Tuesday, November 27, 2007*

*Councillor Maria Augimeri, Chair, North York Community Council*