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## North York Community Council

<b>Meeting No.</b>	18	<b>Contact</b>	Francine Adamo, Committee Administrator
<b>Meeting Date</b>	Tuesday, September 9, 2008	<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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## North York Community Council

**Meeting No.** 18  
**Meeting Date** Tuesday, September 9, 2008  
**Start Time** 9:30 AM  
**Location** Council Chamber, North York Civic Centre

**Contact** Francine Adamo, Committee Administrator  
**Phone** 416-395-7348  
**E-mail** nycc@toronto.ca

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NY18.11	Amended			Ward: 16
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### Ground Sign Variance Request - 2300 Yonge Street

#### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council approve a request for a variance from the former City of Toronto Sign By-law No. 297, as amended, to alter the existing ground sign and to permit the erection of an animated copy display for third party advertising at 2300 Yonge Street, only until the new City-wide sign by-law is adopted by Council, subject to:
  - a. a 60/40 ratio of Commercial to Public Service Announcement advertising content over a 12-month period;
  - b. all public service announcements being charged on a cost recovery basis not to exceed \$1,500.00; and
  - c. an exemption from the minimum separation distance requirement of the by-law.

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(August 19, 2008) Report from Director of Building and Deputy Chief Building Official

#### Committee Recommendations

North York Community Council recommends that:

1. City Council approve a request for a variance from the former City of Toronto Sign

By-law No. 297, as amended, to alter the existing ground sign and to permit the erection of an animated copy display for third party advertising at 2300 Yonge Street, subject to:

- a. a 60/40 ratio of Commercial to Public Service Announcement advertising content over a 12 month period;
- b. all public service announcements being charged on a cost recovery basis not to exceed \$1,500.00; and
- c. an exemption from the minimum separation distance requirement of the by-law.

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

A recorded vote on the Recommendation to City Council, moved by Councillor Stintz, Ward 16 – Eglinton-Lawrence, was as follows:

For: Councillors Carroll, Feldman, Minnan-Wong, Parker, Shiner, Stintz

Against: Councillors Augimeri, Filion, Jenkins, Moscoe, Perruzza

Absent: Nil

Carried

### **Financial Impact**

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

### **Summary**

This staff report is about a matter that the community council has delegated authority to make a final decision provided that it is not amended so that it varies from City policy or by-laws.

The purpose of this report is to review and make recommendations on a request by Peter Kosyk of Wild on Walls, on behalf of Rio Can YEC Holdings Inc., for a variance from former City of Toronto Sign By-law No. 297, as amended, to alter the existing ground sign and to permit erection of an animated copy display for third party advertising at 2300 Yonge Street.

### **Background Information (Committee)**

Staff Report - Ground Sign Variance Request - 2300 Yonge Street  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14947.pdf>  
 Attachments 1-4 - Ground Sign Variance Request - 2300 Yonge Street  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15002.pdf>

### **Communications (Committee)**

(September 8, 2008) e-mail from Rami Tabetlo, Coordinator,  
 IllegalSigns.ca (NY.New.NY18.11.1)

### Communications (City Council)

(September 9, 2008) fax from Wild Media, submitted by Councillor Karen Stintz, Ward 16, Eglinton-Lawrence (CC.New.NY18.11.2)

### Speakers (Committee)

Gene Plouffe, Wild on Media, on behalf of the applicant  
 Peter Kosyk, Wild on Media, on behalf of the applicant  
 Rami Tabetlo, Co-ordinator, IllegalSigns.ca

NY18.26	Adopted			Ward: 15
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### Turn Restriction / Parking and Stopping Prohibitions / Lane Designations - Caledonia Road / Castlefield Avenue

#### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by prohibiting westbound left turn movements at all times from the southerly access of 1330 Castlefield Avenue located on Caledonia Road 66 metres north of Castlefield Avenue.
2. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the northerly westbound lane on Castlefield Avenue for right-turns only, from a point 27 metres west of Ronald Avenue to a point 93 metres further west.
3. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the northerly westbound lane on Castlefield Avenue for right-turns only, from Caledonia Road to a point 68 metres east.
4. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the southerly eastbound lane on Castlefield Avenue for right-turns only, from Caledonia Road to a point 82 metres west.
5. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the easterly northbound lane on Caledonia Road, for right-turns only, buses excepted, from Castlefield Avenue to a point 75 metres south.
6. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the westerly southbound lane on Caledonia Road, for right-turns only, buses excepted, from Castlefield Avenue to a point 89 metres north.
7. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the centre lane on Caledonia Road as a two-way centre left turn lane, from a

point 35 metres north of Castlefield Avenue to a point 160 metres further north.

8. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by deleting the “No Parking Anytime” prohibition on the north side of Castlefield Avenue, from a point 122 metres east of Caledonia Road to Dufferin Street.
9. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by installing a “No Parking Anytime” prohibition on the north side of Castlefield Avenue, from a point 203 metres east of Caledonia Road to Dufferin Street.
10. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by deleting 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 Castlefield Avenue, from a point 122 metres east of Caledonia Road to Ronald Avenue.
11. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by installing a “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 Castlefield Avenue, from a point 203 metres east of Caledonia Road to Ronald Avenue.
12. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by deleting the “No Stopping Anytime” prohibition on the north and south side of Castlefield Avenue, from a point 256 metres west of Caledonia Road to a point 122 metres east of Caledonia Road.
13. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by installing a “No Stopping Anytime” prohibition on the south side of Castlefield Avenue between a point 256 metres west of Caledonia Road and a point 122 metres east of Caledonia Road.
14. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by installing “No Stopping Anytime” prohibition on the north side of Castlefield Avenue between a point 256 metres west of Caledonia Road and a point 136 metres east of Caledonia Road.

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(August 14, 2008) Report from Director, Transportation Services Division, North York District

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by prohibiting westbound left turn movements at all times from the southerly access of 1330 Castelfied Avenue located on Caledonia Road 66 meters north of Castlefield Avenue.
2. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by

designating the northerly westbound lane on Castlefield Avenue for right-turns only, from a point 27 metres west of Ronald Avenue to a point 93 metres further west.

3. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the northerly westbound lane on Castlefield Avenue for right-turns only, from Caledonia Road to a point 68 metres east.
4. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the southerly eastbound lane on Castlefield Avenue for right-turns only, from Caledonia Road to a point 82 metres west.
5. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the easterly northbound lane on Caledonia Road, for right-turns only, buses excepted, from Castlefield Avenue to a point 75 metres south.
6. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the westerly southbound lane on Caledonia Road, for right-turns only, buses excepted, from Castlefield Avenue to a point 89 metres north.
7. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by designating the centre lane on Caledonia Road as a two-way centre left turn lane, from a point 35 metres north of Castlefield Avenue to a point 160 metres further north.
8. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by deleting the “No Parking Anytime” prohibition on the north side of Castlefield Avenue, from a point 122 meters east of Caledonia Road to Dufferin Street.
9. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by installing a “No Parking Anytime” prohibition on the north side of Castlefield Avenue, from a point 203 meters east of Caledonia Road to Dufferin Street.
10. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by deleting 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 Castlefield Avenue, from a point 122 meters east of Caledonia Road to Ronald Avenue.
11. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by installing a “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 Castlefield Avenue, from a point 203 meters east of Caledonia Road to Ronald Avenue.
12. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by deleting the “No Stopping Anytime” prohibition on the north and south side of Castlefield Avenue, from a point 256 metres west of Caledonia Road to a point 122 meters east of Caledonia Road.
13. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by installing a “No Stopping Anytime” prohibition on the south side of Castlefield Avenue

between a point 256 metres west of Caledonia Road and a point 122 meters east of Caledonia Road.

14. City Council amend By-laws 196-84 and 2958-94, of the former City of York, by installing “No Stopping Anytime” prohibition on the north side of Castlefield Avenue between a point 256 metres west of Caledonia Road and a point 136 meters east of Caledonia Road.

### Financial Impact

All costs associated with the turn restriction, lane designation and amendment of the parking regulations are included within the Transportation Services Division’s 2008 Operating Budget.

### Summary

To obtain approval to restrict access and egress movements from 1330 Caledonia Road, Lowes Home Improvement Superstore onto Castlefield Avenue and Caledonia Road, assign lane designation on Castlefield Avenue and Caledonia Road and at Castlefield Avenue and Ronald Avenue intersections, and to amend the existing parking and stopping regulations on Castlefield Avenue.

The access and egress restrictions, lane designations on Castlefield Avenue and Caledonia Road will improve the flow of traffic and provide clearly defined permitted traffic movements. The amendments to the parking regulations on Castlefield Avenue are necessary to facilitate on-street parking adjacent to the current and future expansion of the development on the north side of Castlefield Avenue, east of Caledonia Road.

### Background Information (Committee)

Staff Report - Turn Restriction / Parking and Stopping Prohibitions / Lane Designations - Caledonia Rd / Castlefield Ave

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14889.pdf>

Map - Attachment 1 - Caledonia Road / Castlefield Avenue - Turn Restriction / Parking and Stopping Prohibitions / Lane Designations

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14890.pdf>

NY18.27	Adopted			Ward: 15
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### Commercial Loading Zone - Eglinton Avenue West and Times Road

#### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council designate a commercial loading zone to operate between 9:00 a.m. and 4:00 p.m., Monday to Friday, on the north side of Eglinton Avenue West, from a point 7.5 metres west of Times Road to a point 7.0 metres further west.



(August 1, 2008) Report from Director, Transportation Services Division, North York District

### Committee Recommendations

North York Community Council recommends that:

1. City Council designate a commercial loading zone to operate between 9:00 a.m. and 4:00 p.m., Monday to Friday, on the north side of Eglinton Avenue West, from a point 7.5 metres west of Times Road to a point 7.0 metres further west.

### Financial Impact

The cost associated with the introduction of the commercial loading zone, including initial sign installation and an annual fee, is the responsibility of the applicant, Verdi Produce, 1652 Eglinton Avenue West.

### Summary

To obtain approval to establish a commercial loading zone on the north side of Eglinton Avenue West, west of Times Road.

The introduction of the commercial loading zone will provide for the loading/unloading of goods to the local businesses located at 1652 Eglinton Avenue West, west of Times Road, between the hours of 9:00 a.m. and 4:00 p.m.

### Background Information (Committee)

Staff Report - Commercial Loading Zone - Eglinton Avenue West and Times Road  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14886.pdf>

Map - Attachment 1 - Commercial Loading Zone - Eglinton Avenue West  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14887.pdf>

Location Map - Attachment 2 - Commercial Loading Zone - Eglinton Avenue West at Times Road  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14888.pdf>

NY18.28	Adopted			Ward: 15
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### Lane Designation - Yorkdale Road at Highway 401 On-Ramp/Northbound W.R. Allen Road Off-Ramp and Yorkdale Mall Access

### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council designate the westerly southbound lane on Yorkdale Road for right turning vehicles only, buses excepted, from the Yorkdale Mall Access/W. R. Allen Road

northbound off- ramp to a point 70 metres north thereof.

(August 11, 2008) Report from Director, Transportation Services, North York District

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council designate the westerly southbound lane on Yorkdale Road for right turning vehicles only, buses excepted, from the Yorkdale Mall Access/W. R. Allen Road northbound off- ramp to a point 70 metres north thereof.

### **Financial Impact**

All costs associated with the installation of the lane designation are included within the Transportation Services Division's 2008 Operating Budget.

### **Summary**

To obtain approval to designate the westerly southbound lane on Yorkdale Road, north of Yorkdale Mall access for right turning traffic only, buses excepted.

The lane designation of the westerly southbound lane on Yorkdale Road will permit go transit buses to continue through the intersection from the westerly curb lane which is currently designated for right turning traffic only.

### **Background Information (Committee)**

Staff Report - Lane Designation - Yorkdale Road at Highway 401 On-Ramp/Northbound W.R. Allen Road Off-Ramp and Yorkdale Mall Access

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14882.pdf>

Map - Attachment 1 - Yorkdale Road - Lane Designation

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14883.pdf>

NY18.32	Amended			Ward: 24
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### **All-Way Stop Control - Esther Shiner Boulevard at Old Leslie Street**

### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Esther Shiner Boulevard as a through street, from the west limit of Esther Shiner Boulevard to the west limit of Old Leslie Street.
2. City Council amend Schedule XVIII of By-law 31001, of the former City of North

York, to designate Esther Shiner Boulevard as a through street, from the east limit of Old Leslie Street to the west limit of Leslie Street.

3. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, by deleting Old Leslie Street as a through street, from the southerly limit of Old Leslie Street to the southerly limit of Sheppard Avenue East.
4. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, by deleting Old Leslie Street as a through street, from the southerly limit of Sheppard Avenue East to the southerly limit of Old Leslie Street.
5. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Old Leslie Street as a through street, from the north limit of Esther Shiner Boulevard to the south limit of Sheppard Avenue East.
6. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Old Leslie Street as a through street, from the north limit of Sheppard Avenue East to north limit of Old Leslie Street.
7. City Council amend Schedule XIX of By-law 31001, of the former City of North York, to require traffic to stop on all approaches to the intersection of Esther Shiner Boulevard and Old Leslie Street.
8. City Council adopt the following motion:

The installation of all-way stop control at the intersection of Esther Shiner Boulevard and Old Leslie Street was approved at the September 9, 2008 meeting of North York Community Council.

Esther Shiner Boulevard is scheduled to open to traffic in early October 2008.

The Provincial traffic signal warrants are expected to be satisfied at the intersection of Esther Shiner Boulevard and Old Leslie Street prior to the end of 2008.

It is, therefore, recommended that traffic control signals be installed to replace the all-way stop control at the intersection of Esther Shiner Boulevard and Old Leslie Street prior to December 31, 2008; and the installation to be funded by the 2008 Transportation Capital Budget.

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(August 14, 2008) Report from Director, Transportation Services Division, North York District

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Esther Shiner Boulevard as a through street, from the west limit of

Esther Shiner Boulevard to the west limit of Old Leslie Street.

2. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Esther Shiner Boulevard as a through street, from the east limit of Old Leslie Street to the west limit of Leslie Street.
3. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, by deleting Old Leslie Street as a through street, from the southerly limit of Old Leslie Street to the southerly limit of Sheppard Avenue East.
4. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, by deleting Old Leslie Street as a through street, from the southerly limit of Sheppard Avenue East to the southerly limit of Old Leslie Street.
5. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Old Leslie Street as a through street, from the north limit of Esther Shiner Boulevard to the south limit of Sheppard Avenue East.
6. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Old Leslie Street as a through street, from the north limit of Sheppard Avenue East to north limit of Old Leslie Street.
7. City Council amend Schedule XIX of By-law 31001, of the former City of North York, to require traffic to stop on all approaches to the intersection of Esther Shiner Boulevard and Old Leslie Street.

**Financial Impact**

All costs associated with the installation of all-way stop control at the intersection of Esther Shiner Boulevard and Old Leslie Street will be funded by Concord Adex Investments Limited.

**Summary**

To obtain approval for the installation of all-way stop sign control at the intersection of Esther Shiner Boulevard and Old Leslie Street.

The installation of stop sign control at the intersection of Esther Shiner Boulevard and Old Leslie Street will facilitate vehicle and pedestrian right-of-way within the intersection.

**Background Information (Committee)**

Staff Report - All-Way Stop Control - Esther Shiner Blvd at Old Leslie St  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14863.pdf>

Map - Attachment 1 - All-Way Stop Control - Esther Shiner Blvd at Old Leslie St  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14864.pdf>

NY18.34	Adopted			Ward: 33
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## **Installation of Traffic Control Signals - Sheppard Avenue East at Heron's Hill Way**

### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council direct that traffic control signals be installed at the intersection of Sheppard Avenue East and Heron's Hill Way.

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(August 14, 2008) Report from Director, Transportation Services Division, North York District

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council direct that traffic control signals be installed at the intersection of Sheppard Avenue East and Heron's Hill Way.

### **Financial Impact**

All costs associated with the installation of traffic control signals at the intersection of Sheppard Avenue East and Heron's Hill Way, estimated at \$200,000.00, will be borne by Monarch Construction Limited, developer of the Heron's Hill development.

### **Summary**

To obtain approval to install traffic control signals at the intersection of Sheppard Avenue East at Heron's Hill Way.

The installation of traffic control signals at the intersection of Sheppard Avenue East at Heron's Hill Way is a condition of approval of Site Plan Application 04 175091 NNY 33 SB Herons Hill Redevelopment.

The installation of traffic control signals at Sheppard Avenue East and Heron's Hill Way will improve vehicle and pedestrian right-of-way within and approaching the intersection.

### **Background Information (Committee)**

Staff Report - Installation of Traffic Control Signals - Sheppard avenue East at Heron's Hill Way

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14860.pdf>)

Map - Attachment 1 - Installation of Traffic Control Signals - Sheppard Avenue East at Heron's Hill Way

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14861.pdf>)

NY18.40	Adopted			Ward: 23
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## Designation of Fire Routes and amendment to Chapter 880 – Fire Routes

### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council designate 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 as fire route pursuant to Municipal Code Chapter 880 - Fire Routes – 5500 and 5508 Yonge Street.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

(August 18, 2008) Report from Toronto Fire Services

### Committee Recommendations

North York Community Council recommends that:

1. City Council designate 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 as fire route pursuant to Municipal Code Chapter 880 - Fire Routes – 5500 & 5508 Yonge Street.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

### Financial Impact

There are no financial implications associated with this report.

### Summary

To obtain Council approval for the amendment of the Fire Route By-law to designate certain locations as fire routes within the meaning of City of Toronto Municipal Code Chapter 880, as amended.

Fire Services uses designated fire routes as a key mechanism in regulating fire prevention, including the prevention of spreading of fires and the delivery of fire protection services.

### Background Information (Committee)

Staff Report - Designation of Fire Routes and Amendment to Chapter 880 - Fire Routes  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14903.pdf>

Draft By-law - Designation of Fire Routes and Amendment to Chapter 880 - Fire Routes  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14904.pdf>

NY18.41	Adopted			Ward: 15
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## Sale of Land at the rear of 2212 Eglinton Avenue West

### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council accept the Offer to Purchase from C.G.F.M. Investments Inc. to purchase the Property, in the amount of \$22,000.00, substantially on the terms and conditions outlined in Appendix "A" to the report (August 14, 2008) from the Chief Corporate Officer.
2. City Council authorize each of the Chief Corporate Officer and the Director of Real Estate Services, severally, to accept the Offer to Purchase on behalf of the City.
3. City Council direct that a portion of the proceeds be directed to fund the outstanding expenses related to the Property and to the completion of the sale transaction.
4. City Council authorize the City Solicitor to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable.

\_\_\_\_\_  
 (August 14, 2008) Report from Chief Corporate Officer

### Committee Recommendations

North York Community Council recommends that:

1. City Council accept the Offer to Purchase from C.G.F.M. Investments Inc. to purchase the Property, in the amount of \$22,000.00, substantially on the terms and conditions outlined in Appendix "A" to the report (August 14, 2008) from the Chief Corporate Officer.
2. City Council authorize each of the Chief Corporate Officer and the Director of Real Estate Services severally to accept the Offer to Purchase on behalf of the City.
3. City Council direct that a portion of the proceeds be directed to fund the outstanding expenses related to the Property and to the completion of the sale transaction.
4. City Council authorize the City Solicitor to complete the transaction on behalf of the

City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable.

### **Financial Impact**

Revenue in the amount of \$22,000.00, plus GST if applicable, less closing costs and the usual adjustments, is anticipated.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **Summary**

The purpose of this report is to obtain approval for the sale of the City-owned landlocked parcel of vacant land located at the rear of 2212 Eglinton Avenue West, being Part of Lots 1 and 2 on Plan 1700 and shown as Part 1 on Sketch No. PS-2008-111 (the "Property").

Negotiations with C.G.F.M. Investments Inc., the owners of 2212 Eglinton Avenue West, resulted in the Offer to Purchase that is being recommended for acceptance by the City.

The terms for completing the transaction as set out in this report are considered to be fair, reasonable and reflective of market value.

### **Background Information (Committee)**

Staff Report - Sale of Land at the rear of 2212 Eglinton Avenue West

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14938.pdf>)

Terms and Conditions - Appendix "A" - Sale of Land at the rear of 2212 Eglinton Avenue West

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14939.pdf>)

Site Map and PS Sketch - Appendix "B" - Sale of Land at the rear of 2212 Eglinton Avenue West

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14940.pdf>)

NY18.44	Adopted			Ward: 25
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### **Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's attendance at the OMB B0021/08NY – 51 Montessor Drive**

### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment.



(August 21, 2008) Member Motion from Councillor Jenkins

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment.

### **Summary**

An application to the Committee of Adjustment (COA), North York Panel for the division of a parcel of residential lands into two parts for conveyance purposed for the creation of a new building lot fronting onto Toba Drive was refused by the committee on June 4<sup>th</sup>, 2008.

51 Montessor Drive is a corner lot that fronts onto Montessor Drive and sides onto Toba Drive. Planning staff did not report on this application.

The applicant appealed the COA decision to the Ontario Municipal Board (OMB). To date, an OMB hearing date has not been set.

In August 2007, the City successfully defended a similar COA decision at the OMB for a division of property at 159 and 161 Owen Blvd. in the St. Andrew's community. Another similar appeal at 12 Aldershot was also turned down at the OMB. All of these locations including 51 Montessor Drive are corner lots. The OMB decisions stated that the proposed lots were not compatible with the predominant lot size and character of the area and would negatively impact adjacent homeowners. Approval of this consent request would set a precedent for corner lots in the entire area.

51 Montessor Drive is a transitional lot between the smaller lots in the R4 zoning in the St. Andrew's neighbourhood and the larger lots in R2 zoning in the Fifeshire Road community. By splitting it into two smaller lots, the proposed development does not maintain the Official Plan with respect to zoning transition between homes.

There are currently no lots fronting on Toba Drive which serves as a connecting road from the Fifeshire community to the St. Andrews community through a greenbelt. The property at 1 Toba Drive was subject of a residential house number change.

This application, like the others that were turned down by the OMB, does not meet the development criteria for established neighbourhoods as described in the Official Plan. If approved, this development would have significant negative impacts on the streetscape and adjacent properties, and would set a precedent for future development in the area where there are numerous similar corner lots.

### **Background Information (Committee)**

Member Motion - Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planing Consultant's attendance at the OMB B0021/08NY - 51 Montessor Drive (<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15055.pdf>)

NY18.48	Adopted			Ward: 8
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**Metro Place Public Art Plan - 1060 & 1070 Sheppard Ave. W. and 1 & 55 De Boers Dr.**

**City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council approve the Metro Place Public Art Plan (1060 Sheppard Avenue West, 1070 Sheppard Avenue West, 1 De Boers Drive and 55 De Boers Drive) attached to the report (August 5, 2008) from the Director, Urban Design, City Planning Division.
2. City Council direct that Councillor Perruzza's Office be invited to attend as an observer at the jurying process.

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(August 5, 2008) Report from Director, Urban Design, City Planning Division

**Committee Recommendations**

North York Community Council recommends that:

1. City Council approve the Metro Place Public Art Plan (1060 Sheppard Avenue West, 1070 Sheppard Avenue West, 1 De Boers Drive and 55 De Boers Drive) attached to the report (August 5, 2008) from the Director, Urban Design, City Planning Division.
2. City Council direct that the Councillor Perruzza's Office be invited to attend as an observer at the jurying process.

**Financial Impact**

The recommendations in this report have no financial impact.

**Summary**

The purpose of this staff report is to seek City Council approval of the Metro Place Public Art Plan. The plan has been prepared by the Public Art Consultant and Owner in compliance with the development approval provisions. The plan, which is Attachment 1, outlines the method by which the Owner will commission public art in the privately owned, publicly accessible areas of the development.

The Owner will commence the art program once the plan is approved. The resulting art installation will be owned and maintained by the Owners of 1060 Sheppard Ave. W., 1070 Sheppard Ave. W., 1 De Boers Drive and 55 De Boers Drive.

The plan meets the objectives of the City Planning Percent for Public Art Program and is supported by the Toronto Public Art Commission.

### **Background Information (Committee)**

Staff Report & Attachment 1 - Metro Place Public Art Plan - 1060 & 1070 Sheppard Ave. W. and 1 & 55 De Boers Dr.

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14791.pdf>)

NY18.49	Adopted			Ward: 23
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### **Final Report - Common Elements Condominium Application - 2924, 2926 and 2928 Bayview Avenue**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council be advised that, in accordance with the delegated approval under By-law 229-2000, the Chief Planner may approve the draft plan of common elements condominium, as generally illustrated on Attachment 1 to the report (August 14, 2008) from the Director, Community Planning, North York District, subject to:
  - a. the conditions as generally listed in Attachment 2 to the report (August 14, 2008) 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 may deem to be appropriate to address matters arising from the on-going technical review of this development.

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*Statutory - Planning Act, RSO 1990*

(August 14, 2008) Report from Director, Community Planning, North York District

#### **Committee Recommendations**

North York Community Council recommends that:

1. City Council be advised that, in accordance with the delegated approval under By-law 229-2000, the Chief Planner may approve the draft plan of common elements condominium, as generally illustrated on Attachment 1 to the report (August 14, 2008) from the Director, Community Planning, North York District, subject to:
  - a. the conditions as generally listed in Attachment 2 to the report (August 14,

2008) 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 may deem to be appropriate to address matters arising from the on-going technical review of this development.

**Committee Decision Advice and Other Information**

North York Community Council held a statutory public meeting on September 9, 2008, and notice was given in accordance with the *Planning Act*.

**Financial Impact**

The recommendations in this report have no financial impact.

**Summary**

This application was made on or after January 1, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

The Draft Plan of Common Elements Condominium application proposes to create a Common Elements Condominium consisting of a driveway and landscape strip for the properties known municipally as 2924, 2926 and 2928 Bayview Avenue.

The common elements condominium is required to provide legal access to the individual garages of the units and to ensure shared ownership and maintenance of the driveway and landscaping by the condominium corporation.

This report advises that the Chief Planner or designate intends, under delegated authority, to approve the Draft Plan of Common Elements Condominium for an 8 unit townhouse development located at 2924, 2926 and 2928 Bayview Avenue.

**Background Information (Committee)**

Final Staff Report - Common Elements Condominium Application - 2924, 2926 and 2928 Bayview Avenue  
<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14835.pdf>

**Speakers (Committee)**

Mathew Laing, Planner, Sherman Brown Dryer Karol, on behalf of the applicant

NY18.50	Amended			Ward: 23
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**Status Report and Request for Direction Report - Zoning and Site Plan Control Applications - 9 McKee Avenue and 18-22 Norton Avenue**

### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. The proposed development be revised in conformity with the North York Centre Secondary Plan, to the satisfaction of the Director, Community Planning, North District, and the General Manager of Parks, Forestry and Recreation, to provide for an on-site parkland dedication of 10 percent of the site, immediately adjacent to the City-owned land on the eastern edge of the property.
2. The City Solicitor be instructed to attend at the Ontario Municipal Board hearing on October 2, 2008, to seek the modification to the development proposal under appeal to achieve a 10 percent parkland dedication to the City in the location indicated in Part 1, above.

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(August 18, 2008) Report from Director, Community Planning, North York District

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council support, in principle, the proposed Zoning Amendment for an 18-storey (61.4m) residential building and 3-storey office on the subject site, with a total maximum gross floor area of 15,909 m<sup>2</sup> including 2,561 m<sup>2</sup> for office use, and not exceeding the maximum base density and density incentives in conformity with the North York Centre Secondary Plan.
2. City Council support, in principle, the August 6, 2008 conceptual site plan (Attachments 1 and 2) to the report (August 26, 2008) from the Director, Community Planning, North York District.
3. Authorize the City Solicitor and appropriate City Staff to appear at the Ontario Municipal Board in support of the position outlined in the report (August 26, 2008) from the Director, Community Planning, North York District.
4. Authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order until such time as:
  - a. an appropriate Zoning By-law Amendment is prepared to the satisfaction of the City Solicitor in consultation with the Chief Planner or his designate;
  - b. a Site Plan Approval Application based upon the August 6, 2008 conceptual site plan (Attachments 1 and 2) to the report (August 26, 2008) from the Director, Community Planning, North York District, is finalized and the Owner has entered into a Site Plan Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate and in consultation with the

Local Councillor, to include any appropriate conditions of approval, including an interim landscape plan for the site should construction not start within one year of site plan approval;

- c. the Owner has entered into a Section 37 Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate, to provide the facilities, services and/or matters as generally outlined below:
    - i. the provision of 1.5 m<sup>2</sup> per unit indoor recreational amenity area;
    - ii. the provision of a minimum of 0.1 bicycle parking spaces for each dwelling unit, in an indoor, at-grade common bicycle room; and
    - iii. a monetary contribution toward the City's cost of land acquisition for the North York Centre Service Road and associated road network and buffer areas, and/or toward the cost of constructing and furnishing a public recreational centre or social facility serving the North York Centre, for the proposed density incentive of approximately 3,980 m<sup>2</sup>. The Owner shall provide the monetary contribution in the form of a certified cheque, no later than 10 days from the date of the final approval of the site-specific zoning by-law for the project. The amount of the monetary contribution shall be equal to the market value of density in the North York Centre as recommended by the Director of Real Estate Services; and
  - d. the site is in compliance with all relevant City by-laws.
5. City Council authorize the City Solicitor to agree to an adjournment of the OMB hearing in the event that the applicant and City staff reach an agreement on the proposed disposition of the adjacent City-owned lands.
  6. City Council authorize the City Solicitor and any appropriate City Staff to take actions as necessary to give effect to the recommendations of the report (August 26, 2008) from the Director, Community Planning, North York District.

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

A recorded vote on a Motion moved by Councillor Filion that the applicant be requested to revise the application to provide for an on-site parkland dedication of 10% of the site or arrange to provide for an off-site parkland dedication equal to the value of the on-site dedication that would otherwise be required; and that the City Solicitor and the General Manager, Parks, Forestry and Recreation Division, advise Council at its meeting on September 24 and 25, 2008 which option the applicant chooses, was as follows:

For: Councillors Augimeri, Filion, Jenkins, Moscoe

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

Absent: Councillors Carroll, Perruzza, Shiner

Lost on a Tie Vote

### **Financial Impact**

There are no financial implications resulting from this report.

### **Summary**

The Request for Direction Report for the above Zoning and Site Plan Control applications will provide information on the proposed development of an 18-storey residential and commercial building on lands fronting on McKee Avenue and on Norton Avenue, east of Yonge Street, and will seek Council's direction with respect to the scheduled Ontario Municipal Board hearing.

### **Background Information (Committee)**

Staff Report - Zoning and Site Plan Control Applications - 9 McKee Avenue and 18-22 Norton Avenue  
(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14834.pdf>)

### **Communications (Committee)**

(September 8, 2008) e-mail from Ronald M. Kanter, Macdonald Sager Manis LLP, on behalf of Baywood Homes (NY.New.NY18.50.1)

### **Communications (City Council)**

(September 22, 2008) letter from Ronald M. Kanter, Macdonald Sager Manis LLP  
(CC.Supp.NY18.50.2)

(September 22, 2008) memo from Randy Jones, Acting Supervisor, Development Applications, addressed to Councillor John Filion, Ward 23, Willowdale, submitted by Councillor Filion (CC.New.NY18.50.3)

### **Speakers (Committee)**

Ron Kanter, MacDonald Sager Manis, Barristers & Solicitors, on behalf of Baywood Homes

### **50a Request for Direction Report - Zoning and Site Plan Control Applications - 9 McKee Avenue and 18 & 22 Norton Avenue**

(August 26, 2008) Report from Director, Community Planning, North York District

### **Financial Impact**

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

### **Summary**

The development applications were made on December 23, 2005 and are therefore not subject to the new provisions of the *Planning Act* and *City of Toronto Act*, 2006. The applications

propose an 18-storey apartment building and 3-storey office building. These applications have been appealed to the Ontario Municipal Board and a hearing date has been set for October 2, 2008.

The proposed development of the site implements the policies of the North York Centre Secondary Plan. This report recommends that City Council direct City staff to appear before the Ontario Municipal Board in support of the applications in principle subject to any detailed revisions resulting from the last site plan submission.

Over the last two years the applicant and City have entered into discussions regarding the potential to expand the site through the applicant acquiring City-owned lands on the eastern edge of the property. During this time, the applicant submitted revised plans that amended the applications to include the City-owned lands. The plans were refined to meet City policies and requirements. To date, the discussions with Real Estate Services have not been successful. The owner has now appealed to the OMB the applications only on the applicant's lands, however modifications have been made to the original applications to meet the City's requirements.

If between the signing of this report and the scheduled October 2, 2008 OMB hearing date City staff and the applicant can agree on the proposed terms of the applicant acquiring the adjacent City-owned land, then staff recommend attending the OMB Hearing in support of an adjournment.

### **Background Information (Committee)**

Staff Report & Attachments 1-4 - Zoning & Site Plan Control Applications - 9 McKee Avenue and 18 & 22 Norton Avenue

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15322.pdf>

NY18.51	Amended			Ward: 23
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### **Request for Direction Report - Rezoning and Site Plan Control Applications - 1-17 Anndale Drive, 31-35 Bales Avenue and 22-70 Glendora Avenue**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council support the proposed Zoning By-law Amendment for a 22-storey residential building and three blocks of townhouse units on the subject site, with a total maximum gross floor area of approximately 33,132 m<sup>2</sup>, substantially as outlined in the report (August 18, 2008) from the Director, Community Planning, North York District, for a maximum total gross floor area of approximately 77,270 m<sup>2</sup> for the entire block, including the existing development constructed in Phase 1 and Phase 2 on the western portion of the block, and not to exceed the maximum base density plus combined density incentives and transfers authorized by the North York Centre Secondary Plan.



2. City Council support the proposed Site Plan Control application substantially in accordance with the plans and conditions of approval as outlined in Attachment No. 6 to the report (August 18, 2008) from the Director, Community Planning, North York District, including the requirement that the Owner enter into an appropriate Site Plan Agreement to the satisfaction of the City Solicitor.
3. City Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board in support of the position outlined in report (August 18, 2008) from the Director, Community Planning, North York District.
4. City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order with respect to the Zoning By-law Amendment until such time as:
  - a. a Zoning By-law Amendment is prepared to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate;
  - b. the Owner has entered into a Section 37 Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate, to provide the facilities, services and/or matters as generally outlined below:
    - i. the provision of a minimum of 1.5 m<sup>2</sup> per unit of indoor recreational amenity area;
    - ii. the provision of a minimum of 0.1 bicycle parking spaces per unit, in an approximately 111 m<sup>2</sup> indoor, at-grade common bicycle storage room conveniently accessible to the outside; and
    - iii. a monetary contribution toward the City's cost of land acquisition for the North York Centre Service Road and associated road network and buffer areas, and/or toward the cost of constructing and furnishing a public recreational centre or social facility serving the North York Centre, for the proposed density incentive of approximately 4,517 m<sup>2</sup>. The Owner shall provide the monetary contribution in the form of a certified cheque, no later than 10 days from the date of final approval of the site-specific Zoning By-law for the project. The amount of the monetary contribution shall be equal to the market value of density for the North York Centre, as recommended by the Director of Real Estate Services; and
  - c. the site is in compliance with all relevant City by-laws.
5. City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order with respect to the Site Plan Control application until such time as the applicant has satisfied all Site Plan Control pre-approval conditions listed in Attachment No. 6 to the report (August 18, 2008) from the Director, Community Planning, North York District, including entering into an appropriate Site Plan Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate.

6. City Council amend Paragraph 1, under the heading “City Planning”, in Attachment 6: Proposed Site Plan Control Approval Conditions, to the report (August 18, 2008) from the Director, Community Planning, North York District, to read as follows:  
  
“1. The Owner shall submit revised architectural plans to address the following detailed requirements, to the satisfaction of the Director, Community Planning, North York District and in consultation with the Local Councillor:”.
7. City Council add a new Paragraph 2(e), under the heading “City Planning”, in Attachment 6: Proposed Site Plan Control Approval Conditions, to the report (August 18, 2008) from the Director, Community Planning, North York District, to read as follows:  
  
“2(e) including an interim landscape plan for the site should construction not start within one year of site plan approval;”.
8. City Council require the applicant to notify all prospective purchasers that they should anticipate lengthy delays at intersections in the immediate vicinity during the morning and evening peak periods due to severe traffic congestion, as indicated in the applicant’s traffic impact study, and that the method of such disclosure be to the satisfaction of the City Solicitor.
9. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to the report (September 25, 2008) from the City Solicitor (NY18.51a).
10. City Council’s instructions to staff in respect of the Ontario Municipal Board hearing be authorized for public release at the conclusion of the Council meeting.

The following recommendations contained in Confidential Attachment 1 to the report (September 25, 2008) from the City Solicitor (NY18.51a), are now public. The balance of Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation that affects the City or one of its agencies, boards and commissions and advice that is subject to solicitor-client privilege:

1. Council accept the applicant’s offer to provide an off-site parkland dedication in the amount of 8 percent of the value of the site for the purpose of purchase of parkland in the vicinity of the North York City Centre, together with its undertaking that the entity filing this application will not appeal any forthcoming repeal or revision of North York Centre Secondary Plan parkland policy 6.5.
2. Council’s instructions be made public at the conclusion of this meeting of Council, however, the remainder of the Confidential Attachment shall remain confidential.

### **administrative tribunals, affecting the municipality or local board**

(August 18, 2008) Report from Director, Community Planning, North York District

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council support the proposed Zoning By-law Amendment for a 22-storey residential building and three blocks of townhouse units on the subject site, with a total maximum gross floor area of approximately 33,132 m<sup>2</sup>, substantially as outlined in the report (August 18, 2008) from the Director, Community Planning, North York District, for a maximum total gross floor area of approximately 77,270 m<sup>2</sup> for the entire block including the existing development constructed in Phase 1 and Phase 2 on the western portion of the block, and not to exceed the maximum base density plus combined density incentives and transfers authorized by the North York Centre Secondary Plan.
2. City Council support the proposed Site Plan Control application substantially in accordance with the plans and conditions of approval as outlined in Attachment No. 6 to the report (August 18, 2008) from the Director, Community Planning, North York District, including the requirement that the Owner enter into an appropriate Site Plan Agreement to the satisfaction of the City Solicitor.
3. City Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board in support of the position outlined in report (August 18, 2008) from the Director, Community Planning, North York District.
4. City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order with respect to the Zoning By-law Amendment until such time as:
  - a. a Zoning By-law Amendment is prepared to the satisfaction of the City Solicitor in consultation with the Chief Planner or his designate;
  - b. the Owner has entered into a Section 37 Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate, to provide the facilities, services and/or matters as generally outlined below:
    - i. the provision of a minimum of 1.5 m<sup>2</sup> per unit of indoor recreational amenity area;
    - ii. the provision of a minimum of 0.1 bicycle parking spaces per unit, in an approximately 111 m<sup>2</sup> indoor, at-grade common bicycle storage room conveniently accessible to the outside; and
    - iii. a monetary contribution toward the City's cost of land acquisition for the North York Centre Service Road and associated road network and buffer areas, and/or toward the cost of constructing and furnishing a public recreational centre or social facility serving the North York Centre, for

the proposed density incentive of approximately 4,517 m<sup>2</sup>. The Owner shall provide the monetary contribution in the form of a certified cheque, no later than 10 days from the date of final approval of the site-specific Zoning By-law for the project. The amount of the monetary contribution shall be equal to the market value of density for the North York Centre, as recommended by the Director of Real Estate Services; and

- c. the site is in compliance with all relevant City by-laws.
5. City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order with respect to the Site Plan Control application until such time as the applicant has satisfied all Site Plan Control pre-approval conditions listed in Attachment No. 6 to the report (August 18, 2008) from the Director, Community Planning, North York District, including entering into an appropriate Site Plan Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate.
  6. City Council amend Paragraph 1, under the heading “City Planning”, in Attachment 6: Proposed Site Plan Control Approval Conditions, to the report (August 18, 2008) from the Director, Community Planning, North York District, to read as follows:
    - “1. The Owner shall submit revised architectural plans to address the following detailed requirements, to the satisfaction of the Director, Community Planning, North York District and in consultation with the Local Councillor:”.
  7. City Council add a new Paragraph 2(e), under the heading “City Planning”, in Attachment 6: Proposed Site Plan Control Approval Conditions, to the report (August 18, 2008) from the Director, Community Planning, North York District, to read as follows:
    - “2(e) including an interim landscape plan for the site should construction not start within one year of site plan approval”.
  8. City Council require the applicant to notify all prospective purchasers that they should anticipate lengthy delays at intersections in the immediate vicinity during the morning and evening peak periods due to severe traffic congestion, as indicated in the applicant’s traffic impact study and that the method of such disclosure be to the satisfaction of the City Solicitor.
  9. City Council request the applicant to revise the application to provide for an on-site parkland dedication of 10% of the site or arrange to provide for an off-site parkland dedication equal to the value of the on-site dedication that would otherwise be required.

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

North York Community Council requested the City Solicitor and the General Manager, Parks, Forestry and Recreation Division, to advise City Council at its meeting on September 24 and 25, 2008 which option, referred to in Committee Recommendation 9, the applicant

chooses.

### **Financial Impact**

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

### **Summary**

The Zoning By-law Amendment application was submitted on June 11, 2007 and the Site Plan Control application was submitted on April 8, 2008. Both applications are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

The applications propose a 22-storey residential building and 3 blocks of 3-storey townhouses on the eastern portion of the block bounded by Anndale Drive, Tradewind Avenue, Glendora Avenue and Bales Avenue. The site is located east of Yonge Street, north of Highway 401 and south of Sheppard Avenue East.

The applicant has appealed the proposed Zoning By-law Amendment and Site Plan Control applications to the Ontario Municipal Board, citing Council's failure to render a decision within the allotted time frames.

The proposed project represents an appropriate development of the subject site. This Report seeks Council's support of the proposed Zoning By-law Amendment and Site Plan Control applications, and recommends that staff attend the Ontario Municipal Board in support of the proposal.

### **Background Information (Committee)**

Staff Report and Attachments 1-7 - Request for Direction - 1-17 Anndale, 31-35 Bales, 22-70 Glendora

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14831.pdf>)

### **Background Information (City Council)**

(September 25, 2008) supplementary report from the City Solicitor (NY18.51a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15962.pdf>)

### **Speakers (Committee)**

George Belza, Partner, Analogica, on behalf of the applicant

NY18.52	Adopted			Ward: 9
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### **Liquor Licence Application - Meyhane Restaurant Bar - 865 Wilson Avenue**

### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (the "AGCO") that the issuance of a new liquor licence for the Meyhane Restaurant Bar at 865 Wilson Avenue (the "Premises"), is not in the public interest, having regard to the needs and wishes of the residents, and that the Registrar should issue a Proposal to Review the liquor licence application.
2. City Council request the AGCO to provide the City of Toronto with an opportunity to participate in any proceedings with respect to the Premises.
3. City Council authorize the City Solicitor to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions so as to give effect thereto.

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(September 9, 2008) Member Motion from Councillor Augimeri

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (the "AGCO") that the issuance of a new liquor licence for the Meyhane Restaurant Bar at 865 Wilson Avenue (the "Premises"), is not in the public interest having regard to the needs and wishes of the residents and that the Registrar should issue a Proposal to Review the liquor licence application.
2. City Council request the AGCO to provide the City of Toronto with an opportunity to participate in any proceedings with respect to the Premises.
3. City Council authorize the City Solicitor to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions so as to give effect thereto.

### **Summary**

An application for a new liquor licence has been made by Kemal Alca for a premises located at 865 Wilson Avenue (the "Premises") to be operated under the name of "Meyhane Restaurant Bar."

The Premises have not been licensed since June 2007. When it was licensed in the past, the Premises prompted a number of complaints to the local Councillor from neighbouring residents for reasons including, but not limited to public drunkenness, loitering and harassment by patrons, lewd behaviour, drug activity, and excessive noise. In June 2007, the AGCO suspended the liquor license at the Premises for 21 days for violations of several provisions of the Liquor Licence Act including removing alcohol from the premises and serving alcohol later than permitted. The City's Licensing and Standards division received several complaints about loud music and noise at the establishment in late 2006 which led to noise by-law conviction in January 2008.

There is concern in the community that issuing a license for the Premises will mean a renewal

of the disruptions experienced in the past, including impacts on the public safety and peaceful enjoyment of the neighbourhood.

This motion requests that North York Community Council recommend that City Council advise the Alcohol and Gaming Commission of Ontario (the "AGCO") that this application for a liquor licence is not in the public interest.

NY18.53	Amended			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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### **Local Measures to Reduce Basement Flooding in the North York Community Council Area**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council direct the Chief Planner and Executive Director, City Planning Division, to report to the North York Community Council for its meeting on November 18, 2008, on possible amendments to the by-laws in the North District that will eliminate all, as-of-right, reverse sloped driveways in the North District.
2. City Council direct that this item be scheduled as a public hearing.

#### **City Council Decision Advice and Other Information**

City Council considered this Item with EX23.16, headed "Update on the Engineering Review Addressing Basement Flooding (Ward All)", and Member Motion M24.24, headed "Extension of Deadline for Mandatory Downspout Disconnection in the Combined Sewer Area".

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(September 9, 2008) Member Motion from Councillor Moscoe

#### **Committee Recommendations**

North York Community Council recommends that:

1. City Council direct the Chief Planner and Executive Director, City Planning Division, to report to the North York Community Council for its meeting on November 18, 2008 on possible amendments to the by-laws in the North District that will eliminate all, as-of-right, reverse sloped driveways in the North District.
2. City Council direct that this item be scheduled as a public hearing.
3. City Council direct that Members of the Committee of Adjustment – North York District Panels, be invited to attend the Community Council meeting when this report is considered by the North York Community Council.

**Summary**

On August 19, 2005 over 4,200 basements in Toronto were flooded. Council approved a work plan to address chronic basement flooding problems in 31 separate Basement Flooding Study Areas. The majority of the study areas are in the North District. Since that time the City has introduced a number of corrective measures including direct financial assistance to homeowners (3,125 to date)...cost \$1,123,445 and a mandatory downspout disconnection program. Presently a report on remedial measures to correct flooding in study areas 14, 28, 29, and 30 was adopted by the Executive Committee and will be before Council. The cost of remediation in these areas alone will be \$272 million.

One of the recommendations of this first study is

“Due to the significant impact reverse sloped driveways can have on basement flooding; it is recommended that reverse sloped driveways be banned in any future home construction”

Reverse sloped driveways are already prohibited in North York with the exception that they are permitted, as of right, on narrow lots. Builders need no incentive to create narrow lots but this exemption acts as a double incentive in that it becomes possible to squeeze significant additional living space into this kind of construction with reversed slope driveways. The builder then walks away and the purchaser later suffers from chronic basement flooding. Furthermore this exemption acts as an incentive for builders to apply to the Committee of Adjustment to allow reverse sloped driveways when they are currently not permitted.

Since the City is spending so many millions of dollars in an attempt to correct the problem it is essential that we also make regulatory changes that correct a known problem on a go forward basis.

**Background Information (Committee)**

Member Motion - Basement Flooding

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15555.pdf>

**Background Information (City Council)**

(September 23, 2008) communication from the City Solicitor (NY18.53a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15891.pdf>

*Submitted Tuesday, September 9, 2008*

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