

North York Community Council

Meeting No.	26	Contact	Francine Adamo, Committee Administrator
Meeting Date	Thursday, May 14, 2009	Phone	416-395-7348
Start Time	9:30 AM	E-mail	nycc@toronto.ca
Location	Council Chamber, North York Civic Centre	Chair	Councillor Maria Augimeri

North York Community Council		
Councillor Maria Augimeri (Chair)	Councillor Mike Feldman	Councillor Howard Moscoe
Councillor John Parker (Vice-Chair)	Councillor John Filion	Councillor Anthony Perruzza
Councillor Shelley Carroll	Councillor Cliff Jenkins	Councillor David Shiner
	Councillor Denzil Minnan-Wong	Councillor Karen Stintz

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Declarations of Interest under the *Municipal Conflict of Interest Act***Confirmation of Minutes – April 21, 2009****Schedule of Timed Items**

9:45 a.m.	-	NY26.1 – NY26.3
10:00 a.m.	-	NY26.4 – NY26.6
10:15 a.m.	-	NY26.7 – NY26.9
10:30 a.m.	-	NY26.10 – NY26.12
10:45 a.m.	-	NY26.13 – NY26.15
11:00 a.m.	-	NY26.16 – NY26.19
11:15 a.m.	-	NY26.20 – NY26.21
11:30 a.m.	-	NY26.22
1:30 p.m.	-	NY26.40
1:45 p.m.	-	NY26.41
2:15 p.m.	-	NY26.42
2:30 p.m.	-	NY26.43
2:45 p.m.	-	NY26.44

(Deferred from March 26, 2009 - NY24.4 and April 21, 2009 - NY25.3)

NY26.1	ACTION	9:45 AM	Delegated	Ward: 23
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Encroachment Agreement Request - 516 Ellerslie Avenue**Origin**

(March 9, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that the Encroachment application be approved, subject to the following conditions:

1. That the owner(s) relocate the stairs so that they are 0.45 metres back from the sidewalk.
2. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards.
3. That the appropriate City Officials be authorized to take the necessary action to give effect thereto.
4. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal.

5. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require.
6. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant.
7. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards.
8. The owner(s) pay all applicable fees.

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 with City policy or bylaws. The subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement - 516 Ellerslie Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20688.pdf>

(Deferred from April 21, 2009 - NY25.5)

NY26.2	ACTION	9:45 AM	Delegated	Ward: 16
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Encroachment Agreement Request - 89 Grey Road

Origin

(March 31, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has not received the necessary clearances to recommend that the Encroachment application be approved.

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 with City policy or bylaws.

The subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Request - 89 Grey Rd
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20718.pdf>

(Deferred from April 21, 2009 - NY25.6)

NY26.3	ACTION	9:45 AM	Delegated	Ward: 25
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Encroachment Agreement Request - 34 Beechwood Avenue

Origin

(March 31, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that the Encroachment application be approved, subject to the following conditions:

1. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards.
2. That the appropriate City Officials be authorized to take the necessary action to give effect thereto.
3. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal.
4. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require.
5. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant.
6. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards.

7. The owner(s) pay all applicable fees.

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 with City policy or by-laws. The subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Request - 34 Beechwood Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20721.pdf>

NY26.4	ACTION	10:00 AM	Delegated	Ward: 10
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Encroachment Agreement Request - 183 Sandringham Drive

Origin

(April 27, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that the Encroachment application be approved, subject to the following conditions:

1. That the driveway slope be constructed according to regulation to the satisfaction of the Transportation Services Division;
2. That the two boulders on the east and west sides of the driveway be removed from the right-of-way;
3. That the drainage pipe on the flank of the property be removed from the right-of-way;
4. That the owner(s) will ensure that any work undertaken relating to the encroachment does not damage the existing underground television or telephone cables;
5. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
6. That the appropriate City Officials be authorized to take the necessary action to give effect thereto;

7. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal;
8. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
9. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant;
10. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
11. The owner(s) pay all applicable fees related to the encroachment and the enclosed right-of-way area.

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 with City policy or by-laws. The subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement Request - 183 Sandringham Drive
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20788.pdf>

NY26.5	ACTION	10:00 AM	Delegated	Ward: 34
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Encroachment Agreement Request - 20 Muircrest Drive

Origin

(April 27, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that the Encroachment application be approved, subject to the following conditions:

1. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and

Standards;

2. That the appropriate City Officials be authorized to take the necessary action to give effect thereto;
3. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal;
4. That the owner(s) ensure that any work undertaken on the encroachment does not damage the underground television and telephone cables;
5. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
6. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant;
7. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
8. The owner(s) pay all applicable fees.

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 with City policy or by-laws. The subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement Request - 20 Muircrest Drive
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20782.pdf>

NY26.6	ACTION	10:00 AM	Delegated	Ward: 23
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Encroachment Agreement Request - 372 Parkview Avenue

Origin

(April 27, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that the Encroachment application be approved, subject to the following conditions:

1. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
2. That the appropriate City Officials be authorized to take the necessary action to give effect thereto;
3. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal;
4. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
5. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant;
6. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
7. The owner(s) pay all applicable fees for the encroachment and the enclosed right-of way area.

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 with City policy or by-laws. The subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement Request - 372 Parkview Avenue
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20779.pdf>)

NY26.7	ACTION	10:15 AM	Delegated	Ward: 25
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Encroachment Agreement Request - 88 Plymbridge Road

Origin

(April 27, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that the Encroachment application be approved, subject to the following conditions:

1. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
2. That the appropriate City Officials be authorized to take the necessary action to give effect thereto;
3. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal;
4. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
5. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant;
6. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
7. The owner(s) pay all applicable fees.

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 with City policy or by-laws. The subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement Request - 88 Plymbridge Road
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20781.pdf>

NY26.8	ACTION	10:15 AM		Ward: 24
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Private Tree Removal - 9 Michigan Drive**Origin**

(April 21, 2009) Report from Richard Ubbens, Director, Urban Forestry, Parks, Forestry and Recreation

Recommendations

The General Manager of Parks, Forestry and Recreation recommends that:

1. City Council approve the request to remove one (1) privately-owned tree located in the rear yard of 9 Michigan Drive.

Summary

The report requests City Council's authority to approve the request to remove a privately-owned tree, located in the rear yard of 9 Michigan Drive. This request has been made to allow for the construction of a new two-storey dwelling.

The applicant has received approval from the Committee of Adjustment for a minor variance which would allow the construction of a new dwelling. The tree cannot be protected from destruction if the proposed construction goes ahead due to its proximity to the existing house and its location relative to the proposed new dwelling. It is the opinion of staff that the replacement trees proposed will provide greater canopy coverage to the neighbourhood in the long term and, therefore, support the request for tree removal.

Financial Impact

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

Background Information

Staff Report & Attachment 1 - Private Tree Removal - 9 Michigan Drive
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20681.pdf>
 Attachment 2 - Private Tree Removal - 9 Michigan Drive

(Deferred from March 26, 2009 - NY24.11)

NY26.9	ACTION	10:15 AM	Delegated	Ward: 9
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Sign Variance Request for a Ground Identification Sign - 1394 Wilson Avenue

Origin

(March 10, 2009) Report from Director and Deputy Chief Building Official, Toronto Building, North York District

Recommendations

Toronto Building North York Division recommends that:

1. North York Community Council refuse the request to permit one four- sided ground sign located along Wilson Avenue for the reasons outlined in this report.

Summary

This staff report is about a matter for which the Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to review and make recommendations on a request by Danny Triodi of Toronto Smile Centre tenants at this property, for an approval of variances from the former City of North York Sign By-law No. 30788, as amended, to permit installation of one non illuminated, four- sided, first party ground identification sign on the north side of Wilson Avenue.

Financial Impact

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

Background Information

Staff Report & Attachments 1-8 - Sign Variance - 1394 Wilson Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20270.pdf>

(Deferred from April 21, 2009 - NY25.13)

NY26.10	ACTION	10:30 AM	Delegated	Ward: 16
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Sign Variance Request - 1552 Avenue Road**Origin**

(March 25, 2009) Report from Director of Building and Deputy Chief Building Official

Recommendations

Toronto Building North York Division recommends that:

1. North York Community Council approve the request to permit, replacement of an existing 3rd party off premise roof sign with a new 3rd party off premise trivision roof sign with an electronic message display copy.

- The applicant be advised, upon approval of variance, of the requirement to obtain the necessary sign permits from the Chief Building Official.

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 with City policy or by-laws.

The purpose of this report is to review and make recommendations on a request by Kelly Adam of Kramer Design Associates, acting for Astral Media Outdoor, for an approval of variances from former City of North York Sign By-law No. 30788, as amended, to permit the erection of one 3rd party illuminated trivision roof sign, at 1552 Avenue Road.

Financial Impact

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

Background Information

Staff Report & Attachments 1-8 - Sign Variance - 1552 Avenue Road
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20726.pdf>

(Deferred from November 18, 2008 - NY20.22 and January 13, 2009 – NY22.7)

NY26.11	ACTION	10:30 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code to permit a front yard parking pad at 238 Fairlawn Avenue

Origin

(October 7, 2008) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

- The appeal for a front yard parking pad be denied as the proposal does not comply with the technical requirements of the Municipal Code.

Summary

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

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit front yard parking at 238 Fairlawn Avenue which does not meet the technical requirements of the Code as on-street parking is available.

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

Financial Impact

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

Background Information

Staff Report - Parking Pad - 238 Fairlawn Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18353.pdf>)

Attachment 1 - Diagram of Parking Pad - 238 Fairlawn Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18354.pdf>)

Communications

(November 18, 2008) e-mail from Douglas Taylor (NY.Main.NY22.7.1)

(Deferred from November 18, 2008 - NY20.23 and January 13, 2009 – NY22.8)

NY26.12	ACTION	10:30 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code to permit a front yard parking pad at 240 Fairlawn Avenue

Origin

(October 7, 2008) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. The appeal for a front yard parking pad be denied as the proposal does not comply with the technical requirements of the Municipal Code.

Summary

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

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit front yard parking at 240 Fairlawn Avenue which does not meet the technical requirements of the Code as on-street parking is available.

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

Financial Impact

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

Background Information

Staff Report - Parking Pad - 240 Fairlawn Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18355.pdf>)

Attachment 1 - Diagram of Parking Pad - 240 Fairlawn Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18356.pdf>)

NY26.13	ACTION	10:45 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code to permit front yard parking at 547 Duplex Avenue

Origin

(April 22, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. The application for front yard parking be denied as the proposal does not comply with the requirements of the Municipal Code.

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 with City policy or by-laws.

To report on a request for an exemption from chapter 918 of the city of torontomunicipal code, to permit front yard parking at 547 duplex avenue, which does not meet the requirements of this chapter. as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

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

Background Information

Staff Report - Front Yard Parking - 547 Duplex Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20827.pdf>)

Attachment 1 - Front Yard Parking - 547 Duplex Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20838.pdf>)

NY26.14	ACTION	10:45 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code to permit front yard parking at 22 Chudleigh Avenue

Origin

(April 22, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. The application for front yard parking be denied as the proposal does not comply with the requirements of the Municipal Code.

Summary

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

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit front yard parking at 22 Chudleigh Avenue which does not meet the requirements of this Chapter. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

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

Background Information

Staff Report - Front Yard Parking - 22 Chudleigh Ave
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20832.pdf>
 Attachment 1 - Front Yard Parking - 22 Chudleigh Ave
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20833.pdf>

NY26.15	ACTION	10:45 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code to permit front yard parking - 292 Jedburgh Road

Origin

(April 22, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. The application for front yard parking be denied as the proposal does not comply with

the requirements of the Municipal Code.

Summary

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

To report on a request for an exemption from chapter 918 of the City of Toronto Municipal Code, to permit front yard parking at 292 Jedburgh Road, which does not meet the requirements of the Municipal Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

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

Background Information

Staff Report - Front Yard Parking - 292 Jedburgh Road
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20840.pdf>

Attachment 1 - Front Yard Parking - 292 Jedburgh Road
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20841.pdf>

NY26.16	ACTION	11:00 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code to permit front yard parking at 127 Brookdale Avenue

Origin

(April 27, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. The appeal for a front yard parking pad be denied as the proposal does not comply with the technical requirements of the Municipal Code.

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 with City policy or by-laws.

To report on a request for an exemption from chapter 918 of the city of Toronto Municipal Code, to permit front yard parking at 127 Brookdale Avenue, which does not meet the technical requirements of the code as on-street parking permits are available. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

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

Background Information

Staff Report - Front Yard Parking - 127 Brookdale Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20842.pdf>)

Attachment 1 - Front Yard Parking - 127 Brookdale Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20843.pdf>)

NY26.17	ACTION	11:00 AM	Delegated	Ward: 26
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Request for an exemption from the former Borough of East York Municipal Code to permit an encroaching landscape wall at 182 Hanna Road

Origin

(April 23, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division, North York District recommends that:

1. The appeal to maintain the encroaching landscape wall fronting 182 Hanna Road be denied as the required 0.3 metre setback from the municipal sidewalk cannot be provided as it would result in damage to the existing mature City owned tree.

Summary

This staff report is about a matter that Community Council has delegated authority to make a final decision.

To report on a request for an exemption from the former Borough of East York Municipal Code to permit the maintenance of an encroaching landscape wall fronting 182 Hanna Road which does not meet the required 0.3 metre setback from the municipal sidewalk. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

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

Background Information

Staff Report - Request for Exemption - Encroaching Landscape Wall - 182 Hanna Road

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20836.pdf>)

Attachment 1 - Request for Exemption - Encroaching Landscape Wall - 182 Hanna Road

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20837.pdf>)

NY26.18	ACTION	11:00 AM	Delegated	Ward: 26
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Request for an exemption from the former Borough of East York Municipal Code to permit an encroaching landscape wall and walkway at 146 Airdrie Road

Origin

(April 7, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division, North York District recommends that:

1. The appeal to maintain the encroaching landscape wall and walkway fronting 146 Airdrie Road be denied as the required 0.3 metre setback from the municipal sidewalk cannot be provided as it would result in damage to the existing mature City owned tree.

Summary

This staff report is about a matter that Community Council has delegated authority to make a final decision.

To report on a request for an exemption from the former Borough of East York Municipal Code to permit the maintenance of an encroaching landscape wall and walkway, fronting 146 Airdrie Road which do not meet the provisions set out in By-law No. 111-92. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

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

Background Information

Staff Report - Request for an exemption - Encroaching landscape wall and walkway - 146 Airdrie Road

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20830.pdf>

Attachment 1 - Request for Exemption - Encroaching Landscape wall and walkway - 146 Airdrie Road

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20839.pdf>

NY26.19	ACTION	11:00 AM		Ward: 16
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Payment In-Lieu of Parking - 3011 Bathurst Street

Origin

(April 16, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. Council exempt the applicant from the former City of North York Zoning Bylaw 7625 requirement of eight (8) parking spaces, subject to payment-in-lieu for eight (8) parking spaces; and
2. The applicant enter into an agreement with the City of Toronto for the payment-in-lieu of (eight) 8 parking spaces, based upon the proposed gross floor area (GFA), which in this case amounts to \$40,000.00.

Summary

To seek Council's approval to exempt the applicant from the former City of North York Zoning By-law 7625 requirement of eight (8) parking spaces to permit the construction of additions to the rear portion and front portion of the existing commercial plaza, whereas zero (0) parking spaces can be provided on-site.

Financial Impact

Council's approval of this application will provide the City of Toronto with a \$40,000.00 payment-in-lieu of parking, and a \$300.00 plus GST application processing fee.

Background Information

Staff Report - Payment In-Lieu of Parking - 3011 Bathurst Street
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20823.pdf>

NY26.20	ACTION	11:15 AM		Ward: 23
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Inclusion on Heritage Inventory - 5151 Yonge Street

Origin

(March 23, 2009) Report from Director, Policy and Research, City Planning Division

Recommendations

The City Planning Division recommends that:

1. City Council include the property at 5151 Yonge Street (North York Hydro Building, 1929) on the City of Toronto Inventory of Heritage Properties.

Summary

This report recommends that City Council include the property at 5151 Yonge Street (North York Hydro Building, 1929) on the City of Toronto Inventory of Heritage Properties.

The Inclusion of the property on the City's heritage inventory would enable staff to monitor applications affecting the site and encourage the retention of its heritage attributes and values.

Financial Impact

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

Background Information

Staff Report & Attachments 1-3 - Inclusion on Heritage Inventory - 5151 Yonge Street
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20676.pdf>)

20a Inclusion on Heritage Inventory - 5151 Yonge Street**Origin**

(April 23, 2009) Letter from Toronto Preservation Board

Recommendations

The Toronto Preservation Board recommended to the North York Community Council that:

1. City Council include the property at 5151 Yonge Street(North York Hydro Building, 1929) on the City of Toronto Inventory of Heritage Properties.

Summary

The Toronto Preservation Board on April 23, 2009, considered the report (March 23, 2009) from the Director, Policy and Research, City Planning Division.

Background Information

Letter from Toronto Preservation Board - Inclusion on Heritage Inventory - 5151 Yonge Street
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20866.pdf>)

NY26.21	ACTION	11:15 AM		Ward: 34
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Repeal of a Designating By-law and Demolition of Structures on a Property Designated Under Part IV of the Ontario Heritage Act - 5 Avonwick Gate**Origin**

(March 31, 2009) Report from Director, Policy and Research, City Planning Division

Recommendations

The City Planning Division recommends that:

1. That City Council refuse the application for demolition under Section 34 of the Ontario Heritage Act for the property at 5 Avonwick Gate (Senator Frank O'Connor House, Garage and Outbuilding);

2. If the owner appeals Council's decision to refuse the application for demolition under Section 34 of the Ontario Heritage Act, Council authorize the City solicitor and the necessary City staff to attend at the Ontario Municipal Board hearing in opposition of the appeal;
3. That City Council refuse the application under Section 32 of the Ontario Heritage Act to repeal By-law No. 221-2009 designating the property at 5 Avonwick Gate (Senator Frank O'Connor House, Garage and Outbuilding); and
4. If the owner appeals Council's decision to refuse the application under Section 32 of the Ontario Heritage Act to repeal the designating by-law, the Clerk be directed to refer the matter to the Conservation Review Board.

Summary

The owners of 5 Avonwick Gate (also known as 60 Rowena Drive) have applied to the City of Toronto to demolish the Senator O'Connor House, garage and outbuilding located at this address. The Senator O'Connor House, garage and outbuilding have been designated by Toronto City Council as having cultural heritage value under Part IV of the Ontario Heritage Act. Through a separate application the property owners have also applied to repeal By-law 221-2009 designating the property under Part IV of the Act.

Under Section 34.1 of the Act an applicant requires Council approval prior to demolishing a designated building. Council has ninety (90) days to respond to both a demolition application and an application to repeal a designating by-law. If Council does not respond to the demolition application by June 4, 2009 Council will be deemed to have consented to the application.

Financial Impact

There are no financial implications resulting from the adoption of this report. The public notice of refusal to consent to the demolition application will be advertised on the City's web site in accordance with the City of Toronto Act provisions.

Background Information

Staff Report & Attachments 1-3 - 5 Avonwick Gate
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20678.pdf>)

21a Repeal of a Designating By-law and Demolition of Structures on a Property Designated Under Part IV of the Ontario Heritage Act - 5 Avonwick Gate

Origin

(April 23, 2009) Letter from Toronto Preservation Board

Recommendations

The Toronto Preservation Board recommended to the North York Community Council that:

1. That City Council refuse the application for demolition under Section 34 of the Ontario Heritage Act for the property at 5 Avonwick Gate (Senator Frank O'Connor House, Garage and Outbuilding);
2. If the owner appeals Council's decision to refuse the application for demolition under Section 34 of the Ontario Heritage Act, Council authorize the City solicitor and the necessary City staff to attend at the Ontario Municipal Board hearing in opposition of the appeal;
3. That City Council refuse the application under Section 32 of the Ontario Heritage Act to repeal By-law No. 221-2009 designating the property at 5 Avonwick Gate (Senator Frank O'Connor House, Garage and Outbuilding); and
4. If the owner appeals Council's decision to refuse the application under Section 32 of the Ontario Heritage Act to repeal the designating by-law, the Clerk be directed to refer the matter to the Conservation Review Board.

Summary

The Toronto Preservation Board on April 23, 2009, considered the report (March 31, 2009) from the Director, Policy and Research, City Planning Division.

Background Information

Letter - 5 Avonwick Gate - Repeal of Designating By-law and Demolition of Structures on a Property Designated under Part IV of the Ontario Heritage Act
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20867.pdf>

(Deferred from January 15, 2008 – NY12.24 and April 21, 2009 - NY25.19)

NY26.22	ACTION	11:30 AM		Ward: 9
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Assumption of Services - Downsview Lands Secondary Plan owned by Costco Canada Inc., Block H, Plan 64R-16745 - Billy Bishop Way

Origin

(November 14, 2007) Report from Acting Director, Development Engineering

Recommendations

Development Engineering recommends that:

1. An assumption by-law be passed to assume the public highways and municipal services in Billy Bishop Way road allowance within Registered Plan 64R-16745.
2. The City Solicitor be authorized and directed to make any payment of costs necessary to register the assumption by-law in the Land Registry Office.

Summary

This report recommends that the municipal services installed under the terms of the Section 37 Agreement for Downsview Lands Secondary Plan - Block H, dated August 28, 2000, between Costco Canada Inc. and the City of Toronto are in the required condition to be assumed by the City.

Financial Impact

There are no financial implications from this assumption of services other than those considered when the plan was approved in 2000.

Background Information

Staff Report & Attachment 1 - Assumption of Services - Billy Bishop Way
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20730.pdf>)

22a Assumption of Services - Downsview Lands Secondary Plan owned by Costco Canada Inc., Block H, Plan 64R-16745 - Billy Bishop Way**Origin**

(March 23, 2009) Report from Acting Director, Development Engineering

Recommendations

Development Engineering recommends that:

1. An assumption by-law be passed to assume the public highways and municipal services in the Billy Bishop Way road allowance within Registered Plan 64R-16745.
2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Summary

This report advises that the municipal services installed under the terms of the Section 37 Agreement for Downsview Lands Secondary Plan - Block H, dated August 28, 2000, between Costco Canada Inc. and the City of Toronto are in the required condition and recommends assumption by the City.

Financial Impact

There are no financial implications from this assumption of services other than those considered when the plan was approved in 2000.

Background Information

Staff Report - Assumption of Services - Downsview Lands Secondary Plan - Billy Bishop Way
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20731.pdf>)

22b Assumption of Services – Downsview Lands Secondary Plan owned by Costco Canada Inc., Block H, Plan 64R-16745 – Billy Bishop Way

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

Origin

(April 14, 2009) Report from City Solicitor

Recommendations

The City Solicitor recommends that:

1. Council receive the confidential attachment for information and maintain the information in the attachment as confidential pursuant to solicitor-client privilege.

Summary

At its meeting on January 15, 2008, North York Community Council deferred the report from the Acting Director, Development Engineering entitled “Assumption of Services – Downsview Lands Secondary Plan owned by Costco Canada Inc., Block H, Plan 64R-16745 – Billy Bishop Way.”

The purpose of this report is to respond to a request by North York Community Council to the Acting Director, Development Engineering with respect to Billy Bishop Way. The confidential attachment sets out legal issues associated with the assumption of municipal services.

Financial Impact

The recommendation has no financial impact beyond what has already been approved in the current year’s budget.

Background Information

Staff Report from City Solicitor - Assumption of Services - Billy Bishop Way
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20732.pdf>

(Deferred from April 21, 2009 - NY25.18)

NY26.23	ACTION			Ward: 34
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Assumption of Services - Subdivision owned by English Lane Homes Inc., Plan 66M-2365, Subdivision File UDSB 1218 - 39 Green Belt Dr.

Origin

(March 2, 2009) Report from Acting Director, Development Engineering

Recommendations

Development Engineering recommends that:

1. An assumption by-law be passed to assume the municipal services in Subdivision Plan 66M-2365.
2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Summary

This report advises that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2365, dated June 6, 2001, between English Lane Homes Inc. and the City of Toronto are in the required condition and recommends assumption by the City.

Financial Impact

There are no financial implications from this assumption of services other than those considered when the subdivision was approved in 2001.

Background Information

Staff Report - Assumption of Services - 39 Green Belt Drive
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20728.pdf>
 Attachment 1 - Map - 39 Green Belt Drive
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20729.pdf>

(Deferred from February 9, 2009 - NY23.17)

NY26.24	ACTION			Ward: 8
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Assumption of Services - Subdivision owned by Tribute Communities (York) Inc., Plan 66M-2412, Subdivision File TB SUB 2002 0002 - 4700 Keele St.

Origin

(January 5, 2009) Report from Acting Director, Development Engineering

Recommendations

Development Engineering recommends that:

1. An assumption by-law be passed to assume municipal services in Subdivision Plan 66M-2412.
2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Summary

This report recommends that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2412, dated November 2, 2004, between Tribute Communities (York) Inc. and the City of Toronto are in the required condition to be assumed by the City.

Financial Impact

There are no financial implications from this assumption of services other than those considered when the subdivision was approved in 2004.

Background Information

Staff Report & Attachment 1 - 4700 Keele St.

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18968.pdf>)

NY26.25	ACTION		Delegated	Ward: 33
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Naming of Private Street Located at 2205, 2225, 2235 and 2255 Sheppard Avenue East

Origin

(April 24, 2009) Report from City Surveyor

Recommendations

The City Surveyor recommends that:

1. The private street at 2205, 2225, 2235 and 2255 Sheppard Avenue East, extending southerly from Sheppard Avenue East, be named “Atria Boulevard”;
2. The Dorsay Development Corporation and 1666500 Ontario Inc. pay the costs, estimated to be in the amount of \$300.00, for the fabrication and installation of a street name sign;
3. The owners of the private street or their successors shall maintain, at their own risk, the signage installed under Recommendation (2) of this staff report; and
4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of a naming by-law.

Summary

This staff report is about a matter for which the community council has delegated authority from City Council to make a final decision.

This report recommends that the private street at 2205, 2225, 2235 and 2255 Sheppard Avenue East be named “Atria Boulevard”. Naming the street will facilitate the identification of the buildings and property fronting thereon.

Financial Impact

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

Background Information

Staff Report and Attachment 1 - Map - Naming of Private Street Located at 2205, 2225, 2235 and 2255 Sheppard Avenue East

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20796.pdf>

NY26.26	ACTION			Ward: 8
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Report Request - Renaming of Jack Evelyn Wiggins Drive**Origin**

(April 29, 2009) Letter from City Clerk

Summary

North York Community Council, at its meeting on April 21, 2009:

1. Requested the City Surveyor to conduct a poll of the property owners and residents affected by the renaming of Jack Evelyn Wiggins Drive, in accordance with the City's Street Naming Policy.
2. Requested the City Surveyor, if the poll indicates a majority are in favour of the name change, to submit a report to the North York Community Council meeting on May 14, 2009 requesting that:
 - a. the street named "Jack Evelyn Wiggins Drive" be renamed to "Evelyn Wiggins Drive";
 - b. the lane named "Elia Lane" by Plan 66M-2439 be renamed to "Jack Wiggins Lane";
 - c. the walkway identified as Block 348 on Plan 66M-2439 be named "Elia Lane"; and
 - d. the appropriate City officials take the necessary action to give effect thereto.

Background Information

Letter from City Clerk - Renaming of Jack Evelyn Wiggins Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20856.pdf>

Member Motion - Report Request - Renaming of Jack Evelyn Wiggins Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20857.pdf>

(Deferred from April 21, 2009 - NY25.17 – for Public Presentation and Debate)

NY26.27	ACTION			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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Snow Removal - North York District**Origin**

(March 31, 2009) Report from Director, Transportation Services Division, North York District

Summary

The purpose of this report is to respond to a request on the number of complaints received regarding removal of snow during the 2008 and 2009 winter season.

Financial Impact

There is no financial impact associated with this report.

Background Information

Staff Report - Snow Removal - North York District

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20727.pdf>)

NY26.28	ACTION			Ward: 23
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Sale of Vacant Land at the Rear of 119 Horsham Avenue**Origin**

(April 27, 2009) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. The City accept the Offer to Purchase from Rafael & Isabel Varela to purchase the City-owned parcel of vacant land, located at the rear of 119 Horsham Avenue, shown as Part 3 on Sketch No. PS-2001-061 (the "Sketch"), being Part of Lot 36, Plan 3163, City of Toronto (the "Property"), in the amount of \$5,000.00, substantially on the terms and conditions outlined in Appendix "A" to this report.
2. Each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer to Purchase on behalf of the City.
3. A portion of the proceeds of closing be directed to fund the outstanding expenses related to the Property and the completion of the sale transaction.
4. The City Solicitor be authorized 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.

Summary

The purpose of this report is to obtain approval for the sale of the City-owned parcel of vacant land at the rear of 119 Horsham Avenue. Negotiations with the adjoining owners at 119 Horsham Avenue have resulted in the Offer to Purchase that is being recommended for acceptance by the City.

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

Financial Impact

Revenue in the amount of \$5,000.00 (net of GST), 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.

Background Information

Staff Report - Sale of Vacant Land - 119 Horsham Avenue
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20844.pdf>)

Appendix A - Sale of Vacant Land - 119 Horsham Avenue
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20845.pdf>)

Appendix B - Sale of Vacant Land - 119 Horsham Avenue
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20846.pdf>)

NY26.29	ACTION			Ward: 23
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Sale of Vacant Land at the Rear of 121 Horsham Avenue

Origin

(April 23, 2009) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. The City accept the Offer to Purchase from Mihyang Lee and Yongsoo Ahn to purchase the City-owned parcel of vacant land located at the rear of 121 Horsham Avenue, shown as Part 2 on Sketch No. PS-2001-061 (the "Sketch"), being Part of Lot 36, Plan 3163, City of Toronto (the "Property"), in the amount of \$5,000.00, substantially on the terms and conditions outlined in Appendix "A" to this report.
2. Each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer to Purchase on behalf of the City.

3. A portion of the proceeds of closing be directed to fund the outstanding expenses related to the Property and the completion of the sale transaction.
4. The City Solicitor be authorized 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.

Summary

The purpose of this report is to obtain approval for the sale of the City-owned parcel of vacant land at the rear of 121 Horsham Avenue. Negotiations with the adjoining owners at 121 Horsham Avenue have resulted in the Offer to Purchase that is being recommended for acceptance by the City.

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

Financial Impact

Revenue in the amount of \$5,000.00 (net of GST), 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.

Background Information

Staff Report - Sale of Vacant Land - 121 Horsham Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20847.pdf>

Appendix A - Sale of Vacant Land - 121 Horsham Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20848.pdf>

Appendix B - Sale of Vacant Land - 121 Horsham Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20849.pdf>

NY26.30	ACTION		Delegated	Ward: 9
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Endorsement of Events for Liquor Licensing Purposes

Summary

Seeking endorsement of events of municipal significance for Liquor Licensing Purposes.

Communications

(April 23, 2009) Member Motion from Councillor Palacio, requesting that the Festival de Verano 2009 to be held on Sunday August 2, 2009 at Parc Downsview Park from 1:00 p.m. to 11:00 p.m. be declared an event of municipal significance. (NY.Main.NY26.30.1)
<http://www.toronto.ca/legdocs/mmis/2009/ny/comm/communicationfile-10786.pdf>

NY26.31	ACTION			Ward: 26
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Community Festival Permit Application - Cypriot Community of Toronto Inc. - Cultural and Wine Festival June 20 and 21, 2009

Origin

(April 22, 2009) Report from City Clerk

Recommendations

The City Clerk recommends that:

1. North York Community Council, for liquor licensing purposes, deem the Cultural and Wine Festival to be held on Saturday, June 20, 2009 and Sunday, June 21, 2009, and hosted by the Cypriot Community of Toronto Inc., a Community Festival and declare it an event of Municipal Significance.
2. City Council sanction and grant the Community Festival Permit for the Cultural and Wine Festival to Cypriot Community of Toronto Inc., subject to the following terms and conditions:
 - a. Section 3.2 (f) of the former Borough of East York By-law No. 67-95 regarding security provisions to the Community Festival Permit be waived provided that the Cypriot Community of Toronto Inc. provides approximately five to ten security officers from their membership who will oversee the security for the Cultural and Wine Festival;
 - b. the applicant shall be responsible for arranging the private collection and disposal of all waste generated from the Cultural and Wine Festival;
 - c. where the festival takes place outdoors, the applicant shall ensure that adequate containers are provided to control litter and that the containers are emptied on a regular basis to ensure that litter does not become a problem on the permitted or surrounding properties;
 - d. for any portion of the event to be held outdoors, the applicant shall ensure that there is provision of barriers for liquor control, portable washrooms and increased security;
 - e. the applicant comply with the following requirements of Toronto Building, North York District:
 - i. drawings in duplicate must be submitted to Toronto Building Division, North York District, North York Civic Centre, 5100 Yonge Street and a building permit must be obtained, for the installation of any tents and the construction of the stage for the orchestra, prior to the actual installation/construction; as for the stage, a building permit would be required if the stage is more than 2 feet above adjacent ground and is more than 10 m² in area;

- ii. drawings must indicate the size and location of the tent with distances from the property lines and other buildings;
 - iii. details of the tent and its material must be submitted, as per Attachment 1 to this report;
 - iv. the drawings must also show the size of the stage platform, the structural framing and its support, steps, guards and handrails; and
 - v. a qualified professional engineer and/or a qualified designer may be required to provide the design, as per Attachment 1 to this report;
- f. the applicant comply with the following requirements of the Municipal Licensing & Standards Division, North York District:
- i. the sound emitted from any equipment shall not exceed an equivalent sound level (Leq) of 85 dBA when measured 20 metres from the source over a five minute period;
 - ii. where the sound level exceeds 85 dBA, the applicant shall comply with any request made by an officer of the Toronto Police Service or a Municipal Standards Officer of the Municipal Licensing & Standards Division with respect to the volume of sound from the equipment to ensure compliance with Toronto Municipal Code, Chapter 591 – Noise, subsection D(1);
 - iii. no sound other than the equipment approved under the permit shall be used by the applicant;
 - iv. the event or activity shall be restricted to the approved location;
 - v. the permission granted is for the date and times for the event or activity as set out in the permit; and
 - vi. the Executive Director, Municipal Licensing and Standards Division, grant an exemption to the Toronto Municipal Code, Chapter 591 – Noise, to permit the amplification of sound or playing of music until 2:00 a.m. on June 21, 2009; and 1:00 a.m. on June 22, 2009, on the basis that no complaints have been received by Municipal Licensing and Standards on past events;
- g. the applicant comply with the following requirements of Fire Prevention, Toronto Fire Services:
- i. no open flames (candles, food warmers, etc.) to be used inside the tent(s) and/or marquis;

- ii. one 3A, 10BC rated ULC Listed portable fire extinguisher is to be provided near the BBQ area;
 - iii. if the BBQ is to be located under a canopy, the canopy is to be of non combustible material; and
 - iv. all fire department access routes to the building and to temporary tents/marquis are to be maintained clear and available for emergency vehicle access at all times; and
- h. the applicant comply with the requirements of Toronto Public Health, as part of their Special Events package, to ensure that the event organizer and food vendors comply with all requirement of the Ontario Food Premises Regulation (O. Reg 562 as amended), and that an onsite inspection by Toronto Public Health staff will be conducted on the days of the event (June 20 and 21, 2009).

Summary

A Community Festival Permit Application from the Cypriot Community of Toronto Inc. was received by the City Clerk's North York Office regarding a proposed Cultural and Wine Festival to be held at 6 Thorncliffe Park Drive on June 20 and 21, 2009.

The purpose of the event is to raise funds for the Cypriot community.

Financial Impact

The applicant has submitted the appropriate application fee (\$250.00) and the required deposit (\$2,000.00). The applicant's insurance coverage expires on November 11, 2009.

Background Information

Staff Report & Attachment 1 - Community Festival Permit Application - Cultural and Wine Festival June 20, 21, 2009
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20831.pdf>

NY26.32	ACTION			Ward: 9
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Preliminary Report - Rezoning and Plan of Subdivision Applications - 1201 Wilson Avenue and 2682 Keele Street

Origin

(April 27, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor after the applicant has submitted the required technical studies and information.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Summary

These applications were submitted on February 2, 2009 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applications propose a phased redevelopment of this site as a Provincial Campus for a variety of uses including a hospital, a forensics laboratory, coroner's complex and government offices as shown on "Attachment 1 : Concept Plan".

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

The City is requesting that required technical studies and information be provided, and then will organize a consultation meeting to obtain input from the community. A date for a community meeting will be determined in consultation with the Ward 9 Councillor.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-4 - Preliminary Reprot - 1201 Wilson Ave & 2682 Keele St (<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20780.pdf>)

NY26.33	ACTION			Ward: 16
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Preliminary Report - Rezoning Application - 2300 Yonge Street, 411 Duplex Avenue and 33 Orchard View Boulevard

Origin

(April 22, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Summary

This application was made on February 20, 2009 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend the existing site specific Zoning By-law for 2300 Yonge Street, 411 Duplex Avenue and 33 Orchard View Boulevard to permit a three storey addition to the existing retail concourse at grade and 5 and 7 storey additions to the existing office towers. The development would also include a renovation of the retail concourse to improve pedestrian connections to Yonge Street and Orchard View Boulevard.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

Should the applicant provide the necessary information required in a timely manner, it is anticipated that a final report will be completed in the first quarter of 2010.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-6 - Preliminary Report - 2300 Yonge, 411 Duplex & 33 Orchard View
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20747.pdf>

NY26.34	ACTION			Ward: 23
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Preliminary Report - Official Plan Amendment, Rezoning & Site Plan Control Applications - 275, 277 and 279 Sheppard Avenue West

Origin

(April 16, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Summary

These applications were made on February 25, 2009 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applications propose a four story commercial office building with 33 parking spaces located to the rear on three existing lots known municipally as 275, 277 and 279 Sheppard Avenue West.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

Should the applicant provide any additional required information in a timely manner, it is anticipated the final report will be completed in the fourth quarter of 2009.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-6 - Preliminary Report - 275, 277 and 279 Sheppard Ave W (<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20674.pdf>)

NY26.35	ACTION			Ward: 24
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Preliminary Report - Rezoning Application - 5 & 7 Kenaston Gardens

Origin

(April 14, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

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

Summary

This application was made on February 26, 2009 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to demolish the existing single detached dwellings at 5 and 7 Kenaston Gardens and construct a 6-storey, 56-unit condominium apartment building with 70 below grade parking spaces.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the applications and on the community consultation process.

The application has been circulated to City divisions and external agencies, where appropriate, for comment. The report recommends that a community consultation meeting be scheduled by City Planning staff, in consultation with the Ward Councillor. Staff anticipate holding a community consultation meeting this Summer. A Final Report and a Public Meeting under the Planning Act is targeted for the Fall of this year, providing the applicant submits any required information in a timely manner.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-9 - Preliminary Report - 5 & 7 Kenaston Gardens
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20571.pdf>

NY26.36	ACTION			Ward: 25
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Preliminary Report - Official Plan & Rezoning Applications - 2500 Bayview Avenue

Origin

(April 23, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

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

Summary

This application was made on January 13, 2009 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend the Official Plan and Zoning By-law to permit the construction of eight 3-storey townhouses at 2500 Bayview Avenue.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

It is intended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor. A final report and public meeting under the Planning Act to consider this application is targeted for the fourth quarter of 2009, provided that any required information is submitted in a timely manner.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-6 - Preliminary Report - 2500 Bayview Ave
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20675.pdf>)

NY26.37	ACTION			
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378 Steeles Avenue East in the Town of Markham

Origin

(April 28, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that this report be received for information.

Summary

This report provides preliminary information on Planning staff meeting with Markham and Vaughan staff to review the protocol for handling planning applications located on the north side of Steeles Avenue.

Financial Impact

There are no financial implications.

Background Information

Staff Report - 378 Steeles Ave E in Markham
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20764.pdf>)

NY26.38	ACTION			Ward: 24
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Final Report - Part Lot Control Application - 1181 Sheppard Ave East

Origin

(April 22, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that City Council:

1. Enact a Part Lot Control Exemption By-law for Blocks 2 & 3 of Registered Plan of Subdivision 66M-4232;
2. Deem that the Part Lot Control Exemption By-law shall expire two years from the date of its passing;
3. Require proof of payment of all current property taxes for the subject site from the owner prior to enactment of the Part Lot Control Exemption By-law;
4. Authorize the City Solicitor to make such stylistic and technical changes to the Part Lot Control Exemption By-law as may be required;
5. Authorize the City Solicitor to introduce the Part Lot Control Exemption By-law in Council after the owner of the subject lands has registered a Section 118 Restriction under the Land Titles Act, agreeing not to transfer or change any part of the said lands without the prior written consent of the Director of Community Planning, North York District;
6. Prior to obtaining the written consent of the Director of Community Planning, North York District, as provided for in Recommendation #5 above, the owner of the subject lands shall provide a Reference Plan to the satisfaction of the Director which identifies the proposed new lot lines and easements requested by the owner; and,
7. Authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction at such time as the Condominium Plans have been registered.

Summary

This application was made on March 9, 2009 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes exemption from part lot control to allow for easements and agreements for shared facilities, phased mortgage financing and individual condominium ownership for five buildings in a proposed mixed use development at 1181 Sheppard Ave East at Leslie Street. This report recommends exemption from part lot control subject to the conditions contained in this report.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-3 - Final Report - 1181 Sheppard Ave E
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20585.pdf>

NY26.39	ACTION			Ward: 8
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Report - York University Secondary Plan Update

Origin

(April 23, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. City Planning staff hold a community consultation meeting on the draft Official Plan and Zoning By-law Amendments and incorporate any appropriate comments;
2. City Planning staff provide notice for the community consultation meeting to landowners and residents within 120 metres of the study area, to residents and landowners south of the hydro corridor, east of Black Creek valley and north of Finch Avenue, to those on the York University Secondary Plan update mailing list and place newspaper advertisements in the North York Mirror and the Toronto Star;
3. Notice for the Public Meeting under the Planning Act be given according to the regulations of the Planning Act; and
4. City Council direct the Chief Planner and Executive Director, City Planning Division to resolve the outstanding matters identified in this report prior to bringing forward Official Plan and Zoning By-law Amendments to update the planning framework for the York University Secondary Plan.

Summary

The purpose of this report is to provide information on the status of the York University Secondary Plan update, present the findings of the review and the proposed amendments to the City of Toronto Official Plan and the former City of North York Zoning By-law. This report also identifies outstanding matters to be resolved and anticipated timing to complete the review. With the review nearing completion, this is an appropriate time to present the findings of the consultant's work and advance draft recommendations for an updated planning framework for the Secondary Plan area.

This report recommends that the proposed amendments to the Secondary Plan, and amendments to the Zoning By-law addressing vehicle parking requirements for the University and bicycle parking for the Secondary Plan area, be discussed with the community prior to

being considered by City Council for adoption.

Financial Impact

There may be financial impacts related to the costs of providing community infrastructure such as community centres and day care centres. If so, this will be outlined in the final report to City Council.

Background Information

Staff Report & Attachments 1-7 - Report - York University Secondary Plan Update
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20804.pdf>

York University Secondary Plan

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20805.pdf>

NY26.40	ACTION	1:30 PM		Ward: 26
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1325 to 1365 Bayview Ave., 2, 4, 3 to 11 Airdrie Rd., 2 to 8 Sutherland Dr. - Demolition Application under Municipal Code Chapter 667 – Refusal Report

Statutory - City of Toronto Act, 2006

Origin

(April 15, 2009) Report from Director, Policy and Research, City Planning Division

Recommendations

The City Planning Division recommends that:

1. City Council refuse the application (08 119061 NNY 00 RH) for a permit to demolish 116 rental units at 1325-1365 Bayview Ave., 2, 4, 3-11 Airdrie Rd., and 2-8 Sutherland Dr.

Summary

This application seeks permission to demolish the existing 116 rental units located at 1325-1365 Bayview Ave., 2, 4, 3-11 Airdrie Rd., and 2-8 Sutherland Dr. The demolition of residential rental units is prohibited under Chapter 667 of the Toronto Municipal Code unless a permit has been issued under Section 111 of the City of Toronto Act. Council's decision is final and cannot be appealed to the Ontario Municipal Board.

City Council has refused the proposed Official Plan and Zoning By-law Amendment application for an 8-storey residential building and 54 townhouses, because it does not meet the intent of the Official Plan. The proposed development requires the demolition of the existing structures. The properties are designated under the Ontario Heritage Act. Council has also refused an application to demolish the heritage structures. Council's refusals have been appealed to the Ontario Municipal Board, with a consolidated hearing scheduled to begin in August, 2009.

This report recommends refusal of the Section 111 application because the proposed replacement in the new rental apartment building of the 116 rental units to be demolished can only be achieved through the demolition of designated heritage structures and by way of Official Plan and zoning by-law amendments which have been refused by Council for other planning reasons. Refusal of the Section 111 application would therefore be consistent with Council's refusals of the OPA/rezoning and heritage demolition applications.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report - Refusal Report - Demolition Application - 1325-1365 Bayview Ave
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20690.pdf>

NY26.41	ACTION	1:45 PM		Ward: 23
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Final Report requesting Direction on Proposed Settlement - OPA Application - 4759 - 4789 Yonge Street

Statutory - Planning Act, RSO 1990

Origin

(April 27, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. City Council endorse Hullmark's offer to settle and advance the approvals to permit the proposed 35 and 44 storey mixed commercial and residential development, with a maximum gross floor area of 90,591 m² which is to include a minimum of 23,000 m² office space and a minimum of 6,200 m² retail space, with two pedestrian connections to the subway, and with a range of density incentives, as described in further detail in this Report, substantially as outlined in Attachment No. 7.
2. City Council amend the North York Centre Secondary Plan, substantially in accordance with the draft general Official Plan Amendment contained in Schedule B of Attachment No. 7.
3. City Council amend the North York Centre Secondary Plan for the 4759-4789 Yonge Street site, located at the southeast corner of Yonge Street and Sheppard Avenue East, substantially in accordance with the draft site-specific Official Plan Amendment contained in Schedule C of Attachment No. 7, modified with the addition of the following "Clause 4" to clarify procedural matters:

"For greater certainty, all provisions of the North York Centre Secondary Plan and all other relevant provisions of the City of Toronto Plan not yet applicable to

the lands shown as 19 on Map 8-12 will be brought into force concurrently with this site-specific amendment."

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments as may be required.
5. Should City Council accept this offer to settle and adopt the proposed Official Plan Amendments substantially as per Schedules B and C of Attachment No. 7, as modified by Recommendation No. 3 above, City Council authorize the City Solicitor to seek with Hullmark, on consent, an order from the Ontario Municipal Board to resolve Hullmark's outstanding appeal to the City's Official Plan.
6. Subject to taking the necessary procedural steps, City Council support in principle declaring as surplus Parts 18, 21 and 23 identified on the November 12, 2008 draft R-Plan by R.M. Pastushak, O.L.S., having an area of 222 m², and inviting an offer from the Owner, consistent with the offer to settle, to acquire a strata fee interest these lands, subject to any infrastructure requirements of the TTC.
7. Should City Council adopt the proposed Official Plan Amendments substantially as per Schedules B and C of Attachment No. 7, as modified by Recommendation 3 above, and should the Ontario Municipal Board approve the proposed Official Plan Amendments, City Council authorize City Planning staff to bring forward the related Zoning Amendment application (including the statutory Public Meeting for the proposed zoning by-law amendment) and Site Plan Control application to the next possible North York Community Council meeting(s) following resolution of any relevant outstanding matters.

Summary

The applicant Hullmark Centre Inc. ("Hullmark") proposes to develop a 35-storey and a 44-storey building, connected by a 5-storey link building, on the Willowdale Plaza lands located at the southeast corner of Yonge Street and Sheppard Avenue East. The proposed mixed use development includes office, retail and residential uses.

The Official Plan Amendment and Zoning Amendment applications were made on August 3, 2006 and are therefore not subject to the new provisions of the Planning Act and the City of Toronto Act, 2006. The related Site Plan Control application was made on March 19, 2008, and is subject to these new provisions.

This report discusses and recommends Hullmark's offer to settle ("Offer") which was before North York Community Council at its April 21, 2009 meeting. The report recommends approval of the application to amend the Official Plan, including both a general and a site-specific Official Plan Amendment. It also sets out recommendations for the further processing of the related Zoning Amendment and Site Plan Control applications.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-6 - Final Report - 4759 - 4789 Yonge Street
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20798.pdf>

Communications

(April 28, 2009) e-mail from Janice Maser (NY.Main.NY26.41.1)

NY26.42	ACTION	2:15 PM		Ward: 25
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Final Report – Partial Removal of the Holding (H) Symbol application – 2075 Bayview Ave Sunnybrook Hospital

Origin

(April 22, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. City Council amend former City of North York Zoning By-law 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
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. The applicant be required to obtain Notice of Approval Conditions of Site Plan Approval before the necessary Bills are introduced to City Council for enactment.

Summary

This application was made on January 26, 2009 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a 780 m² (8,400 ft²) 2 – storey addition to the existing Wellspring Centre facility located on the northwest portion of the Sunnybrook Hospital campus site at 2075 Bayview Avenue. The addition requires a partial removal of the holding symbol (H) to permit an increase in density which would bring the total gross floor area of the hospital campus to 259,480 m² (2,793,108 ft²) or 0.66 fsi. The application is recommended for approval on the basis that the proposed addition is appropriate and satisfies the criteria to permit a partial lifting of the hold on the subject property. This report recommends that the bills proceed to Council once the applicant has obtained Notice of Conditions of Site Plan Approval.

Financial Impact

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

Background Information

Staff Report & Attachments 1-5 - Final Report - 2075 Bayview Ave Sunnybrook Hospital
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20610.pdf>

NY26.43	ACTION	2:30 PM		Ward: 34
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Request for Direction Report - Official Plan Amendment & Rezoning, Site Plan, Plan of Subdivision Applications - 23, 25 and 27 Hobson Avenue

Origin

(April 27, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. That Council support the approval of the applications subject to the following modifications:
 - i) The total number of units on Hobson Avenue be reduced to accommodate a shared private driveway at the rear of the properties and provide for an acceptable interface with the employment lands on the west side of Hobson Avenue to the satisfaction of the Chief Planner and Executive Director of City Planning and the General Manager of Transportation Services.
 - ii) Two parking spaces be provided for each unit to the satisfaction of the General Manager of Transportation Services.
 - iii) The applicant shall address the stormwater management issues identified by Technical Services Division. Specifically, the applicant shall provide the required revisions to the functional servicing and stormwater management report, a geotechnical report and the additional storm sewer drainage plan, design sheets and other plans and information as requested.
 - iv) The applicant shall address the site servicing and grading issues identified by Technical Services Division. Specifically, the applicant shall provide a preliminary engineering report, including a flow test and water distribution analysis and the required additional plans and profile for services, grade control plans, sanitary sewer drainage plans, composite utility plan, design sheets and other plans as requested.
 - v) The proposed public roads to be conveyed to the City will comply with the requirements of the “Policy and Standards for Public Local Residential Streets and Private Streets” and the City’s “Development and Infrastructure Policy and Standards”, including:

- (a) the existing Jinnah Court “cul-de-sac” immediately north of the site must be removed and reconfigured to create a continuous north/south roadway;
 - (b) the right-of-way width of the proposed Jinnah Court extension shall be 18.5 metres wide with a 8.5 metre wide residential asphalt roadway; and
 - (c) the applicant is required to provide a functional design of the proposed public roads to the satisfaction of the Executive Director of Technical Services.
- vi) All services to be installed by the owner shall be according to City of Toronto standards and specifications as outlined by the Executive Director of Technical Services and shall be secured 100% by irrevocable letter of credit.
- vii) The owner shall pay a 5% fee for the City’s engineering review and inspection services, based on the cost of all proposed infrastructure works for the subdivision, as estimated by the owner’s consultant and satisfactory to the Executive Director of Technical Services.
- viii) The owner shall enter into and adhere to all conditions of the City’s standard Subdivision Agreement.
- ix) The treatment of grades and building heights will not result in buildings which are noticeably taller than the existing townhouses on Jinnah Court and Tisdale Avenue.
- x) The following built form revisions shall be made:
- (a) grade relationships for proposed units should not result in front doors more than six steps higher than grade; and
 - (b) improved elevations shall be provided for both street facades when the building is on a corner. The design of a corner building should be unique and incorporate special features.
- xi) The proposed landscaping shall be revised to:
- (a) provide additional opportunities for planting large growing shade trees;
 - (b) coordinate landscaping with walkways, exterior lighting and utilities;
 - (c) locate utilities at the rear of units where possible, integrated into the building or screened by landscaping;
 - (d) provide permeable surfaces for driveways; and
 - (e) maximize the amount of soft landscaping on both the public right-of-way and private property.
2. The City Solicitor and City staff be directed to continue discussions with the applicant concerning appropriate public benefits that would be provided for the increased height and density that may be approved for the site pursuant to Section 37 of the Planning Act.

3. Staff be authorized to attend the Ontario Municipal Board hearing in support of the position set out 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 this report.
4. Request the Ontario Municipal Board to withhold its order on a modified proposal as set out in Recommendation 1. above until the following conditions are satisfied:
 - a. The final form of the Official Plan and Zoning By-law Amendment is satisfactory to the Chief Planner and Executive Director of City Planning.
 - b. The owner enters into an agreement with the City pursuant to Section 51 of the Planning Act satisfactory to the Chief Planner and Executive Director of City Planning and the Executive Director of Technical Services.
 - c. The owner enters into an agreement with the City pursuant to Section 114 of the City of Toronto Act satisfactory to the Chief Planner and Executive Director of City Planning.
 - d. The owner enters into an agreement with the City pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director of City Planning.
 - e. Require that the applicant submit a draft plan of condominium application in the event a common elements condominium is required as part of the approved development.

Summary

This is a report on an appeal of applications to amend the Official Plan and Zoning By-law and for draft plan of subdivision and Site Plan Control approval to develop 53 residential units at 23, 25 and 27 Hobson Avenue. As this matter has been appealed to the Ontario Municipal Board, this report recommends that the City solicitor and appropriate staff advance the position outlined in the report.

The applications were filed on April 7, 2008 and are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*. City Planning staff presented a Preliminary Report on the applications at the June 10, 2008 meeting of North York Community Council. A community consultation meeting was held on June 23, 2008 and a second community consultation meeting was held on October 7, 2008. On March 9, 2009 the applicant appealed the Official Plan amendment, Zoning By-law amendment, Site Plan Control application and draft plan of subdivision application to the Ontario Municipal Board.

The applications propose 45 three and four-storey townhouses and 8 three storey semi-detached units for a total of 53 units at 23, 25 and 27 Hobson Avenue. The applicant is also proposing to extend Wedmore Avenue from Tisdale Avenue to Hobson Avenue and extend Jinnah Court to the proposed Wedmore Avenue extension.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-6 - Request for Direction Report - 23, 25 and 27 Hobson Ave
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20777.pdf>

NY26.44	ACTION	2:45 PM		Ward: 24
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Request for Direction Report - OPA, Rezoning & Site Plan Control Applications - 17, 19, 21, 23 Kenaston Gdns

Origin

(April 15, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. That City staff be authorized to attend the Ontario Municipal Board Hearing in support of the proposed Official Plan Amendment, Zoning By-law Amendment and approval in principle of the Site Plan Control application pursuant to the recommendations below and authorize the City Solicitor and any other appropriate City staff to take such actions as necessary to give effect to the recommendations of this report.
2. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 12.
3. City Council amend the Zoning By-law No. 7625 for the former municipality of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13.
4. 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.
5. Request that the Ontario Municipal Board to withhold its Order until the following matters are settled:
 - (a) require the owner to enter into an agreement with the City to the satisfaction of the City Solicitor and pursuant to Section 37 of the Planning Act, to provide the following facilities, services and/or monetary contributions:
 - (i) a monetary contribution of \$135,000.00 in the form of a certified cheque satisfactory to the City, to fund an additional 2,179m² of proposed gross floor, toward the cost of constructing and equipping a public community

centre serving the Sheppard East Subway Corridor area, to be made prior to the issuance of the first above-grade building permit, but if construction of the public community centre has not commenced within 5 years from the date of the approval of the zoning by-law, the funds may alternatively be used, at the discretion of the General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor, for improvements to Rean Park and/or Kenaston Park located in the neighbourhood east of Bayview Avenue and south of Sheppard Avenue.

- (ii) the exemption of indoor private recreational amenity area from the calculation of gross floor area to a maximum of 354m².
- (b) confirmation that indicates the 59m² of surplus lands adjacent to 19 and 21 Kensaton Gardens have been declared surplus and acquired by the applicant, and that if such request is denied, that the proposal be revised accordingly and appropriate Official Plan and Zoning By-law Amendments be prepared based on the revised proposal.
- (c) require the owner to enter into a Site Plan Control Agreement under Section 41 of the Planning Act to the satisfaction of the City Solicitor to include the Notice of Approval Conditions set out in Attachment 14 of this report.

Summary

This application was made on February 20, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

On April 3, 2009, the applicant appealed the Official Plan and Zoning By-law amendment applications, as well as the Site Plan application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision within the prescribed time frames set out in the Planning Act.

The purpose of this report is to seek City Council's direction on the appeals and authorization for the City Solicitor and necessary City staff to attend the Ontario Municipal Board in support of the applications subject to the conditions outlined in the report.

Daniels HR Corporation has assembled four residential lots at 17, 19, 21 and 23 Kenaston Gardens and is requesting an amendment to the Official Plan and Zoning By-law and obtain Site Plan approval in order to redevelop the lands with an 8-storey, 142-unit residential condominium apartment building with commercial space on a portion of the ground floor.

The proposed development constitutes good planning, is consistent with the objectives and policies of the Official Plan, and complies with the built form policies and applicable neighbourhood protection policies. Municipal objectives for appropriate urban design principles as set out in the Context Plan for the Southeast Bayview Node are fulfilled. It is consistent with the policies and provisions of the Provincial Policy Statement and is in conformity with the Greater Golden Horseshoe Growth Plan.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachments 1-14 - Request for Direction Report - 17, 19, 21, 23 Kenaston Gdns

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20794.pdf>

Communications

(June 20, 2008) letter from Steve Kerper, Past President, Municipal and Government Affairs, Bayview Village Association (NY.Main.NY26.44.1)

NY26.Bills	ACTION		Delegated	
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General Bills**Confirmatory Bills**