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## North York Community Council

<b>Meeting No.</b>	23	<b>Contact</b>	Francine Adamo, Committee Administrator
<b>Meeting Date</b>	Monday, February 9, 2009	<b>Phone</b>	416-395-7348
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	nycc@toronto.ca
<b>Location</b>	Council Chamber, North York Civic Centre	<b>Chair</b>	Councillor Maria Augimeri

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### Attendance

Members of the North York Community Council were present for some or all of the time periods indicated under the section headed “Meeting Sessions”, which appears at the end of the Minutes.

Councillor Maria Augimeri, Chair	X
Councillor Shelley Carroll	X
Councillor Mike Feldman	R
Councillor John Filion	X
Councillor Cliff Jenkins	X
Councillor Denzil Minnan-Wong	R
Councillor Howard Moscoe	X
Councillor John Parker, Vice-Chair	X
Councillor Anthony Perruzza	X
Councillor David Shiner	X
Councillor Karen Stintz	X

Regrets: Councillor Feldman  
Councillor Minnan-Wong

Councillor Augimeri in the Chair.

### Confirmation of minutes

On motion by Councillor Shiner, the minutes of the North York Community Council meeting held on January 13, 2009 were confirmed.

NY23.1	ACTION	Amended	Delegated	Ward: 16
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## Fence Exemption Request - 345 Cortleigh Boulevard

### Committee Decision

North York Community Council:

1. Approved the request for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences, for 345 Cortleigh Boulevard, on condition that when the fence is replaced it be constructed in compliance with Chapter 447 or its successor by-law.

### Origin

(January 6, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

### 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 exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the front yard which is in violation of the By-law.

### Background Information

Staff Report - 345 Cortleigh Boulevard

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18459.pdf>)

### Communications

(December 1, 2008) letter from Eric Abugov, addressed to North District Manager, Municipal Licensing & Standards (NY.New.NY23.1.1)

### Speakers

Amardeep Wig, Handels Klein, on behalf of the applicant

Eric Abugov, applicant

### Motions

*Motion to Amend Item moved by Councillor Karen Stintz (Carried)*

That the request for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences, for 345 Cortleigh Boulevard, be approved on condition that when the fence is replaced it be constructed in compliance with Chapter 447 or its successor by-law.

NY23.2	ACTION	Deferred	Delegated	Ward: 16
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## Fence Exemption Request - 408 Glencairn Avenue

**Decision Advice and Other Information**

North York Community Council deferred consideration of the report (January 6, 2009) from the District Manager, Municipal Licensing and Standards, North York District, to its next meeting on March 26, 2009.

**Origin**

(January 6, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

**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 exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the rear yard which is in violation of the By-law.

**Background Information**

Staff Report - 408 Glencairn Avenue  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18462.pdf>

**Communications**

(February 6, 2009) submission from Alan Shields, on behalf of the applicant, submitting photographs respecting the application (NY.New.NY23.2.1)

**Speakers**

Alan Shields, Natures Hands Landscape Design, on behalf of the applicant

**Motions**

*Motion to Defer Item moved by Councillor Karen Stintz (Carried)*  
 That the North York Community Council defer consideration of the report (January 6, 2009) from the District Manager, Municipal Licensing and Standards, North York District, to its meeting on March 26, 2009.

NY23.3	ACTION	Amended	Delegated	Ward: 16
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**Fence Exemption Request - 259 Brooke Avenue**

**Committee Decision**

North York Community Council:

1. Approved the request for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences, for 259 Brooke Avenue, on condition that when the pool is replaced it should be constructed in compliance with Chapter 447 or its successor by-law.

**Origin**

(January 19, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

**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 exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the rear yard which is in violation of the By-law.

**Background Information**

Staff Report - 259 Brooke Avenue

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18466.pdf>

**Motions**

*Motion to Amend Item moved by Councillor Karen Stintz (Carried)*

That the request for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences, for 259 Brooke Avenue, be approved on condition that when the pool is replaced it should be constructed in compliance with Chapter 447 or its successor by-law.

NY23.4	ACTION	Amended	Delegated	Ward: 25
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**Fence Exemption Request - 32 York Valley Crescent****Committee Decision**

North York Community Council:

1. Approved the request for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences, for 32 York Valley Crescent, subject to the applicant:
  - a. removing an existing chain link fence along the south property line;
  - b. altering the existing fence to a height of 2 metres (6.5 ft.) commencing 1.2 metres (4 ft.) from the corner of the garage and running along the south property line for a distance of 14.6 metres (48 ft.);
  - c. planting six emerald cedars measuring at least 1.8 metres (6 ft.) in height near the commencement of the fence, in consultation with the owner of the adjacent property; and
  - d. when replacing the fence, construct it in compliance with Chapter 447 or its successor by-law.

**Origin**

(January 6, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

**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 exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the rear yard which is in violation of the By-law.

**Background Information**

Staff Report - 32 York Valley Crescent

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18468.pdf>)

**Communications**

(February 6, 2009) letter from Mary Flynn-Guglietti, McMillan, Barristers & Solicitors, on behalf of the applicant (NY.New.NY23.4.1)

(February 8, 2009) letter from Andrew Warman, McMillan, Barristers & Solicitors, on behalf of the applicant (NY.New.NY23.4.2)

**Motions**

*Motion to Amend Item moved by Councillor Cliff Jenkins (Carried)*

That the request for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences, for 32 York Valley Crescent, be approved subject to the applicant:

1. removing an existing chain link fence along the south property line;
2. altering the existing fence to a height of 2 metres (6.5 ft.) commencing 1.2 metres (4 ft.) from the corner of the garage and running along the south property line for a distance of 14.6 metres (48 ft.);
3. planting six emerald cedars measuring at least 1.8 metres (6 ft.) in height near the commencement of the fence, in consultation with the owner of the adjacent property; and
4. when replacing the fence, construct it in compliance with Chapter 447 or its successor by-law.

NY23.5	ACTION	Adopted	Delegated	Ward: 26
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**Fence Exemption Request - 31 Ferrand Drive****Committee Decision**

North York Community Council:

1. Did not grant the fence exemption.

**Origin**

(January 6, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

**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 exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain existing fences in the front, side and rear yard which are in violation of the By-law.

**Background Information**

Staff Report - 31 Ferrand Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18470.pdf>

**Motions**

*Motion to Adopt Item moved by Councillor John Parker (Carried)*

NY23.6	ACTION	Deferred	Delegated	Ward: 34
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**Fence Exemption Request - 62 Larabee Crescent****Decision Advice and Other Information**

North York Community Council deferred consideration of the report (January 12, 2009) from the District Manager, Municipal Licensing and Standards, North York District, to its next meeting on March 26, 2009, in order to allow the applicant to meet with the Ward Councillor to discuss ways to lower the front portion of the fence in the front yard, to be more in line with the City's By-laws.

**Origin**

(January 12, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

**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 exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the front yard which is in violation of the By-law.

**Background Information**

Staff Report - 62 Larabee Crescent

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18471.pdf>

**Speakers**

Romina Luga, applicant

**Motions**

*Motion to Defer Item moved by Councillor David Shiner (Carried)*

That the North York Community Council defer consideration of the report (January 12, 2009) from the District Manager, Municipal Licensing and Standards, North York District, to its meeting on March 26, 2009, in order to allow the applicant to meet with the Ward Councillor to discuss ways to lower the front portion of the fence in the front yard, to be more in line with the City's By-laws.

**(Deferred from November 18, 2008 - Item NY20.11)**

NY23.7	ACTION	No Action	Delegated	Ward: 16
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**Fence Exemption Request - 20 Westgrove Crescent****Committee Decision**

North York Community Council took no action on this matter.

**Origin**

(October 27, 2008) Report from District Manager, Municipal Licensing and Standards, North York District

**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 exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the rear yard which is in violation of the By-law.

**Background Information**

Staff Report - 20 Westgrove Crescent

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17661.pdf>

**Communications**

(November 14, 2008) e-mail from Toby Belman (NY.Main.NY23.7.1)

(December 10, 2008) e-mail from Shelley and Harold Wolkin (NY.Main.NY23.7.2)

(February 9, 2009) letter from Toby Belman (NY.New.NY23.7.3)

(December 20, 2006) letter from Mark Hartley, Mark Hartley Landscape Architects (NY.New.NY23.7.4)

**Speakers**

Toby Belman, applicant

**Motions**

*Motion to Amend Item moved by Councillor Karen Stintz (Lost)*

That the request for an exemption from the City of Toronto Municipal Code, Chapter 447 – Fences, for 20 Westgrove Crescent, be approved.

NY23.8	ACTION	Adopted	Delegated	Ward: 24
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**Art Mural Exemption Request - 1125 Sheppard Avenue East****Committee Decision**

North York Community Council:

1. Confirmed the Notice and directed that a second Notice be issued.

**Origin**

(January 14, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

**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 consider a request by the owner(s) of 1125 Sheppard Avenue East, for a review by the North York Community Council to determine whether the graffiti should be exempted as an art mural in accordance with Chapter 485 – Graffiti, section 485-4E.

**Background Information**

Staff Report & Attachments 1-3 - 1125 Sheppard Avenue East  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18472.pdf>

**Motions**

*Motion to Adopt Item moved by Councillor Howard Moscoe (Carried)*

NY23.9	ACTION	Deferred	Delegated	Ward: 8
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**Sign Variance Request for a Ground Identification Sign - 100 York Gate Boulevard****Decision Advice and Other Information**

North York Community Council deferred consideration of the report (January 20, 2009) from the Director and Deputy Chief Building Official, Toronto Building, North York District, to its meeting on April 21, 2009.



**Origin**

(January 20, 2009) Report from Director and Deputy Chief Building Official, Toronto Building, North York District

**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 Dominic Rotundo of Pattison Sign Group, on behalf of the property owners McArthur Capital Inc., for an approval of variances from the former City of North York Sign By-law No. 30788, as amended, to permit installation of one illuminated, double faced first party ground sign on the west side of Jane Street north of York Gate Boulevard.

**Background Information**

Staff Report - 100 York Gate Blvd

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18483.pdf>

Attachments 1-5 - 100 York Gate Blvd

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18484.pdf>

**Motions**

*Motion to Defer Item moved by Councillor Anthony Perruzza (Carried)*

That the North York Community Council defer consideration of the report (January 20, 2009) from the Director and Deputy Chief Building Official, Toronto Building, North York District, to its meeting on April 21, 2009.

NY23.10	ACTION	Deferred	Delegated	Ward: 15
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**Sign Variance Request for a Ground Identification Sign - 3200-3222 Dufferin Street**

**Decision Advice and Other Information**

North York Community Council deferred consideration of the report (January 21, 2009) from the Director and Deputy Chief Building Official, Toronto Building, North York District, for two months in order to allow the applicant to consult with the Ward Councillor.

**Origin**

(January 21, 2009) Report from Director and Deputy Chief Building Official, Toronto Building, North York District

**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 Robert Manning of Gregory Signs Ltd., on behalf of the property owners, Rhyl Realty Inc., for an approval of variances from the former City of North York Sign By-law No. 30788, as amended, to permit the installation of two illuminated, double faced first party ground signs on the west side of Dufferin Street on the property of a commercial plaza located between Orfus Road and Samor Road.

### Background Information

Staff Report - 3200-3222 Dufferin Street

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18507.pdf>)

Attachments 1-4 - 3200-3222 Dufferin Street

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18508.pdf>)

Attachment 5 - 3200-3222 Dufferin Street

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18512.pdf>)

### Speakers

Robert Manning, Gregory Signs Ltd., on behalf of the applicant

### Motions

*Motion to Defer Item moved by Councillor Howard Moscoe (Carried)*

That the North York Community Council defer consideration of the report (January 21, 2009) from the Director and Deputy Chief Building Official, Toronto Building, North York District, for 2 months in order to allow the applicant to consult with the Ward Councillor.

NY23.11	ACTION	Deferred		Ward: 34
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### Sign Variance Request - 1252 Lawrence Avenue East

#### Decision Advice and Other Information

North York Community Council deferred consideration of the report (January 19, 2009) from the Director and Deputy Chief Building Official, until the draft of the new Sign By-law is finalized.

#### Origin

(January 19, 2009) Report from Director of Building and Deputy Chief Building Official

#### Summary

This staff report is about a matter that must be approved by City Council as the proposal is in contravention with the former municipality of Metropolitan Toronto (Metro) By-law 211-79 as amended.

The purpose of this report is to review and make recommendations on a request by Stephen Mazur of Pattison Outdoor Advertising LP acting for the owner of the property, Mr. Tzembelicos president of KAPA, for a variance from the Metro Sign By-law 211-79, as amended, to erect a third party roof sign on the property at the above noted address.

## Background Information

Staff Report & Attachments 1-4 - 1252 Lawrence Ave E.

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18499.pdf>)

## Motions

*Motion to Defer Item moved by Councillor Karen Stintz (Carried)*

That the North York Community Council defer consideration of the report (January 19, 2009) from the Director and Deputy Chief Building Official, to its meeting on March 26, 2009.

*Motion to Amend Item moved by Councillor Howard Moscoe (Carried)*

That the Motion from Councillor Stintz be amended to read as follows:

“That the North York Community Council defer consideration of the report (January 19, 2009) from the Director and Deputy Chief Building Official, until the draft of the new Sign By-law is finalized.”

NY23.12	ACTION	Amended	Delegated	Ward: 16
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## Request for an exemption from Chapter 918 of the City of Toronto Municipal Code - Re-polling to permit a front yard parking pad at 121 Castlewood Road

### Committee Decision

North York Community Council:

1. Approved the request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 121 Castlewood Road, subject to the following conditions:
  - a. the front yard pad be constructed in consultation with Transportation Services Division on the ways to minimize the ecological impact of the pad;
  - b. the applicant planting an additional tree on the property to the satisfaction of the Director, Urban Forestry; and
  - c. that a landscape strip be planted between the sidewalk and the front yard parking pad, such landscape strip to be a minimum of 30 inches in depth and not be sodded but planted with bushes and shrubs to the satisfaction of the Director, Urban Forestry.

### Origin

(January 21, 2009) Report from Director, Transportation Services, North York District

## Summary

This staff report is about a matter that the community council has delegated authority to make a final decision. This matter was deferred by City Council at their April 28 & 29, 2008, meeting until the poll was re-conducted which was completed on December 4, 2008.

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 121 Castlewood Road which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

## Background Information

Staff Report - 121 Castlewood Road

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18522.pdf>

Attachment 1 - Drawing - 121 Castlewood Road

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18523.pdf>

## Speakers

Mark Palmert, applicant

## Motions

*Motion to Amend Item moved by Councillor Karen Stintz (Carried)*

That the request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 121 Castlewood Road, be approved subject to the following conditions:

1. the front yard pad be constructed in consultation with Transportation Services Division on the ways to minimize the ecological impact of the pad; and
2. the applicant planting an additional tree on the property to the satisfaction of the Director, Urban Forestry.

*Motion to Amend Item (Additional) moved by Councillor David Shiner (Carried)*

That the motion from Councillor Stintz be amended by adding the following additional condition:

- “3. that a landscape strip be planted between the sidewalk and the front yard parking pad, such landscape strip be a minimum of 30 inches in depth and is not sodded but is planted with bushes and shrubs to the satisfaction of the Director, Urban Forestry.”

*Motion to Adopt Item as Amended moved by Councillor Karen Stintz (Carried)*

NY23.13	ACTION	Amended	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 93 Fairlawn Avenue**

## Committee Decision

North York Community Council:

1. Approved the request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 93 Fairlawn Avenue, subject to the following condition:
  - a. the front yard pad be constructed in consultation with Transportation Services Division on the ways to minimize the ecological impact of the pad.

## Origin

(January 21, 2009) Report from Director, Transportation Services, North York District

## Summary

This staff report is about a matter that the community council has delegated authority to make a final decision.

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 93 Fairlawn Avenue which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

## Background Information

Staff Report - 93 Fairlawn Ave

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18518.pdf>

Attachment 1 - Drawing - 93 Fairlawn Ave

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18519.pdf>

## Communications

(February 9, 2009) letter from Thomas C. Smith & Judith B. Jackson, submitting a copy of their letter dated August 17, 2008 addressed to the General Manager, Transportation Services (NY.New.NY23.13.1)

## Speakers

Judith Jackson, applicant

## Motions

*Motion to Amend Item moved by Councillor Karen Stintz (Carried)*

That the request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 93 Fairlawn Avenue, be approved subject to the following condition:

1. the front yard pad be constructed in consultation with Transportation Services Division on the ways to minimize the ecological impact of the pad.

**(Deferred from September 9, 2008 – Item NY18.31 and October 7, 2008 - Item NY19.14)**

NY23.14	ACTION	Amended	Delegated	Ward: 24
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## **Parking Prohibitions - Clarinda Drive**

### **Committee Decision**

North York Community Council:

1. Amended Schedule VIII of By-law 31001, of the former City of North York, to prohibit parking from 9:00 a.m. to 4:00 p.m. Monday to Friday, on the north and west side of Clarinda Drive, from Eunice Road (south leg) to Eunice Road (north leg).

### **Origin**

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

### **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 obtain approval to prohibit parking on the north and west sides of Clarinda Drive between Eunice Road (south leg) and Eunice Road (north leg).

The parking prohibitions will address the residents' concerns with respect to excessive on-street parking occurring on Clarinda Drive.

### **Background Information**

Staff Report - Clarinda Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18423.pdf>

Attachment 1 - Location Map - Clarinda Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18424.pdf>

### **Communications**

(September 8, 2008) fax from Frank Varga (NY.Main.NY23.14.1)

(September 8, 2008) fax from Frank Varga submitting survey forms signed by nineteen area residents indicating they do not support the proposed parking prohibitions on Clarinda Drive (NY.Main.NY23.14.2)

### **Motions**

*Motion to Amend Item moved by Councillor David Shiner (Carried)*

1. That Schedule VIII of By-law 31001, of the former City of North York, be amended to prohibit parking from 9:00 a.m. to 4:00 p.m. Monday to Friday on the north and west side of Clarinda Drive, from Eunice Road (south leg) to Eunice Road (north leg).

NY23.15	ACTION	Adopted		Ward: 10
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## Parking Regulations - Faywood Boulevard

### Committee Recommendations

North York Community Council recommends that:

1. City Council amend Schedule X of By-law No. 31001, of the former City of North York, to delete the 30 minute permitted parking 8:00 a.m. to 5:00 p.m. Monday to Friday on the east side of Faywood Boulevard from a point 121 metres north of the northerly limit of McAllister Road to a point 60 metres south of the southerly limit of Sheppard Avenue West.
2. City Council amend Schedule X of By-law No. 31001, of the former City of North York, to delete the 30 minute permitted parking 8:00 a.m. to 5:00 p.m. Monday to Friday on the east side of Faywood Boulevard from a point 15 metres north of the northerly limit of McAllister Road to a point 46 metres northerly thereof.
3. City Council amend Schedule IX of By-law No. 31001, of the former City of North York, to delete the No Stopping 8:00 a.m. to 5:00 p.m. Monday to Friday on the east side of Faywood Boulevard from a point 61 metres north of the northerly limit of McAllister Road to a point 60 metres northerly thereof.
4. City Council amend Schedule VIII of By-law No. 31001, of the former City of North York, to prohibit parking at anytime on the east side of Faywood Boulevard from a point 60 metres south of Sheppard Avenue West to a point 42 metres southerly thereof.
5. City Council amend Schedule X of By-law No. 31001, of the former City of North York, to install 30 Minute Permit Parking from 8:00 a.m. to 5:00 p.m. Monday to Friday on the east side of Faywood Boulevard from a point 15 metres north of McAllister Road to a point 106 metres north thereof.

### Origin

(January 13, 2009) Report from Director, Transportation Services Division, North York District

### Summary

To obtain approval to amend parking and stopping prohibitions on the east side of Faywood Boulevard.

The amendments to the parking and stopping prohibitions will address the concerns of the Toronto Herschel School located at 819 Sheppard Avenue West.

### Background Information

Staff Report - Faywood Blvd

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18524.pdf>)

Attachment 1 - Map - Faywood Blvd

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18525.pdf>)

**Motions**

*Motion to Adopt Item moved by Councillor Karen Stintz (Carried)*

NY23.16	ACTION	Amended	Delegated	Ward: 15
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**All Way Stop Control - Ennerdale Street at Glen Park Avenue****Committee Decision**

North York Community Council:

1. Directed that an all way stop control be installed at the intersection of Ennerdale Street and Glen Park Avenue.

**Origin**

(January 12, 2009) Report from Director, Transportation Services Division, North York District

**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 deny the request to install an all way stop control at the intersection of Ennerdale Street and Glen Park Avenue.

The existing traffic and roadway conditions do not warrant the introduction of all way stop control at the intersection of Ennerdale Street and Glen Park Avenue.

**Background Information**

Staff Report - Ennerdale St at Glen Park Ave

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18515.pdf>

Attachment 1 - Map - Ennerdale St at Glen Park Ave

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18516.pdf>

**Speakers**

Ivano Arona

**Motions**

*Motion to Amend Item moved by Councillor Howard Moscoe (Carried)*

That North York Community Council recommend that City Council direct that an all way stop control be installed at the intersection of Ennerdale Street and Glen Park Avenue.



NY23.17	ACTION	Deferred		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.**

**Decision Advice and Other Information**

North York Community Council deferred consideration of the report (January 5, 2009) from the Acting Director, Development Engineering, to its meeting on May 14, 2009.

**Origin**

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

**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.

**Background Information**

Staff Report & Attachment 1 - 4700 Keele St.

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18456.pdf>

**Motions**

*Motion to Adopt Item moved by Councillor David Shiner (Carried)*

*Motion to Re-open Item moved by Councillor Maria Augimeri (Carried)*

*Motion to Defer Item moved by Councillor Anthony Perruzza (Carried)*

That the North York Community Council defer consideration of the report (January 5, 2009) from the Acting Director, Development Engineering, to its meeting on May 14, 2009.

NY23.18	ACTION	Deferred		Ward: 25
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**Designation of Fire Routes and amendment to Chapter 880 - Fire Routes - 1075-1095 Leslie Street**

**Decision Advice and Other Information**

North York Community Council deferred consideration of the report (January 15, 2009) from Toronto Fire Services, to its next meeting on March 26, 2009.

**Origin**

(January 15, 2009) Report from Toronto Fire Services

## Summary

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

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

## Background Information

Staff Report - Fire Routes

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18528.pdf>)

Draft By-law - Fire Routes

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18529.pdf>)

## Motions

*Motion to Defer Item moved by Councillor Howard Moscoe (Carried)*

That the North York Community Council defer consideration of the report (January 15, 2009) from Toronto Fire Services, to its next meeting on March 26, 2009.

NY23.19	ACTION	Adopted	Delegated	Ward: 23
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## Request for Endorsement of Events for Liquor Licensing Purposes

### Committee Decision

North York Community Council, for liquor licensing purposes, declared the following to be an event of Municipal Significance:

1. The Hispanic Fiesta, to be held on September 4, 5, 6 and 7, 2009, from 3:00 p.m. to 11:00 p.m., in Mel Lastman Square, 5100 Yonge Street.

## Summary

Seeking endorsement of event of Municipal Significance for Liquor Licensing Purposes.

## Communications

(January 9, 2009) Member Motion from Councillor Palacio, regarding the Hispanic Fiesta to be held on September 4, 5, 6 and 7, 2009 in Mel Lastman Square from 3:00 p.m. to 11:00 p.m. (NY.Main.NY23.19.1)

## Motions

*Motion to Adopt Item moved by Councillor John Filion (Carried)*

**(Deferred from January 13, 2009 - Item NY22.25 for Public Presentation and Debate on February 9, 2009)**

NY23.20	ACTION	Amended		Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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## **Enhancements to the Tree Protection Process**

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

North York Community Council requested the General Manager, Parks, Forestry and Recreation, to report back to the North York Community Council in six months on the implementation of the new protection initiatives outlined in the report (December 10, 2008) from the General Manager, Parks, Forestry and Recreation Division.

### **Origin**

(December 10, 2008) Report from General Manager, Parks, Forestry and Recreation

### **Summary**

North York Community Council, on October 7, 2008, requested a report on the feasibility of enhancements to the tree protection process to be implemented on a trial basis in the North York District.

Improving the relationship between Urban Forestry and the builders and developers who work in North York District will improve the current state of tree protection. In order to accomplish this, additional funding for Improved Development Review and Tree By-Law Enforcement requested in the 2009 operating budget process to administer and monitor tree protection will have to be approved.

### **Background Information**

Staff Report - Enhancements to the Tree Protection Process

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18357.pdf>

Staff Report - Tree Protection in North York on Demolition & New Construction Sites

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18358.pdf>

### **Motions**

*Motion to Amend Item moved by Councillor Howard Moscoe (Withdrawn)*

That the North York Community Council recommend to City Council that:

1. On sites involving demolition and construction of new buildings, the General Manager, Parks, Forestry and Recreation be directed to attach a computer generated satellite photo marking all trees that require tree protection to each building permit application.
2. The additional computer terminal for tree protection in the North District, be funded by a non refundable supplementary surcharge levied on each tree that requires protection.
3. Staff report directly to City Council on the amount of the appropriate surcharge.

*Motion to Amend Item moved by Councillor David Shiner (Carried)*

That the General Manager, Parks, Forestry and Recreation, report back to the North York Community Council in six months on the implementation of the new protection initiatives outlined in the report (December 10, 2008) from the General Manager, Parks, Forestry and Recreation Division.

NY23.21	ACTION	Deferred		Ward: 23
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## **Preliminary Report - Rezoning, Site Plan Applications - 51 Finch Avenue West**

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

North York Community Council deferred consideration of the report (January 7, 2009) from the Director, Community Planning, North York District, to its next meeting on March 26, 2009, to allow the applicant to consult with the local ratepayer associations.

### **Origin**

(January 7, 2009) Report from Director, Community Planning, North York District

### **Summary**

This application was made on December 15, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend the Zoning By-law in order to permit the existing single detached house to be used as a medical office at 51 Finch Ave W.

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 applicant is required to make further submissions in order for their application to be complete. Furthermore, a community consultation should be scheduled as soon as possible to assess any issues the public may have with this application. This application is targeted for completion by the third quarter of 2009; the target date assumes that applicant will provide all required information in a timely manner.

### **Background Information**

Staff Report & Attachments 1-4 - 51 Finch Avenue West

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18474.pdf>

### **Speakers**

Richard Y.S. Min, Principal, Min Architect, on behalf of the applicant

**Motions***Motion to Defer Item moved by Councillor John Filion (Carried)*

That the North York Community Council defer consideration of the report (January 7, 2009) from the Director, Community Planning, North York District, to its next meeting on March 26, 2009, to allow the applicant to consult with the local ratepayer associations.

NY23.22	ACTION	Amended		Ward: 23
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**Preliminary Report - Official Plan Amendment, Rezoning & Site Plan Control Applications - 169, 171, 173 & 177 Finch Avenue East**

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

North York Community Council directed that:

1. City Planning staff schedule a community consultation meeting together with the Ward Councillor.
2. City Planning staff give notice for the community consultation meeting to landowners and residents within 120 metres of the site and the notice area for the community consultation meeting be expanded to include, in addition to the statutory notice area, all landowners and residents residing in the area bounded by Willowdale Avenue on the west, Pemberton Avenue to the north and Finch Avenue to the northwest and northeast, Estelle Avenue to the east and Holmes Avenue on the south; and that the applicant pay the City for the costs associated with extending the notice area.
3. City Clerk's staff give notice for the public meeting under the Planning Act according to the regulations under the Planning Act.

**Origin**

(January 20, 2009) Report from Director, Community Planning, North York District

**Summary**

These applications were made on December 19, 2008 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applications propose to redevelop the properties located at 169, 171, 173 and 177 Finch Avenue East, for 21 residential townhouse units, configured into 3 blocks, and with two interior private roadways.

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.

### Background Information

Staff Report & Attachments 1-10 - 169-173, 177 Finch Avenue East  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18475.pdf>

### Motions

*Motion to Amend Item moved by Councillor John Fillion (Carried)*

That the staff recommendations in the Recommendation Section of the report (January 20, 2009) from the Director, Community Planning, North York District, be adopted subject to amending Recommendation 2 to read as follows:

- “2. City Planning staff give notice for the community consultation meeting to landowners and residents within 120 metres of the site and the notice area for the community consultation meeting be expanded to include, in addition to the statutory notice area, all landowners and residents residing in the area bounded by Willowdale Avenue on the west, Pemberton Avenue to the north and Finch Avenue to the northwest and northeast, Estelle Avenue to the east and Holmes Avenue on the south; and that the applicant pay the City for the costs associated with extending the notice area.”

NY23.23	ACTION	Amended		Ward: 24
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### Preliminary Report - Rezoning Application - 88 Finch Avenue East

### Committee Decision

### Decision Advice and Other Information

North York Community Council directed that:

1. City Planning staff schedule a community consultation meeting together with the Ward Councillor.
2. City Planning staff give notice for the community consultation meeting to landowners and residents within 120 metres of the site subject to the notice area of the community consultation meeting being expanded to include, in addition to the statutory notice area, all landowners and residents residing in the area bounded by Maxome Avenue to the east, Finch Avenue to the South, Kenneth Avenue to the west and Bishop Avenue to the north, and to include a notice posting in each of the Condominium Buildings along Pemberton Avenue; and that the applicant pay the City for the costs associated with extending the notice area.
3. City Clerk's staff give notice for the public meeting under the Planning Act according to the regulations under the Planning Act.

**Origin**

(January 20, 2009) Report from Director, Community Planning, North York District

**Summary**

This application was made on December 17, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to convert the residential second floor of an existing two storey building for additional professional medical office use. The ground floor is an existing professional medical office. Five existing parking spaces are located at the rear of the site. No additions or alterations to the exterior of the building are proposed.

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

**Background Information**

Staff Report & Attachments 1-7 - 88 Finch Avenue East

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18469.pdf>)

**Motions**

*Motion to Amend Item moved by Councillor David Shiner (Carried)*

That the staff recommendations in the Recommendation Section of the report (January 20, 2009) from the Director, Community Planning, North York District, be adopted subject to amending Recommendation 2 to read as follows:

- “2. City Planning staff give notice for the community consultation meeting to landowners and residents within 120 metres of the site subject to the notice area of the community consultation meeting being expanded to include, in addition to the statutory notice area, all landowners and residents residing in the area bounded by Maxome Avenue to the east, Finch Avenue to the South, Kenneth Avenue to the west and Bishop Avenue to the north, and to include a notice posting in each of the Condominium Buildings along Pemberton Avenue; and that the applicant pay the City for the costs associated with extending the notice area.”

NY23.24	ACTION	Amended		
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**Northwest Corner of Steeles Avenue West and Tandem Road, East of Keele Street, City of Vaughan**

### Decision Advice and Other Information

North York Community Council requested the Director, Community Planning, North York District, in consultation with the City Solicitor, to report to the North York Community Council meeting on April 21, 2009 on the validity of this development in an Employment District with an opinion on the City of Toronto's rights with respect to the same.

### Origin

(January 9, 2009) Report from Director, Community Planning, North York District

### Summary

This report provides information on an application in the City of Vaughan for a zoning amendment to permit a veterinary clinic in an existing building on lands zoned EM1 Prestige Employment Area Zone. The City of Vaughan has circulated the application to the City of Toronto for comments as the site abuts the municipal boundary ( Steeles Avenue West ).

### Background Information

Staff Report - Corner of Steeles Ave W & Tandem Rd, City of Vaughan  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18414.pdf>

### Motions

*Motion to Amend Item moved by Councillor Anthony Perruzza (Carried)*

That the Director, Community Planning, North York District, in consultation with the City Solicitor, report to the North York Community Council meeting on April 21, 2009 on the validity of this development in an Employment District with an opinion on the City of Toronto's rights with respect to the same.

*Ruling by Councillor Maria Augimeri*

Councillor Augimeri ruled that the North York Community Council could only receive this item for information since no prior notice had been given. If the North York Community Council wanted to take a different action, it should defer the item until the next meeting. According to the Procedures By-law, unless Council has previously authorized it, a committee only takes action on an information report, other than receiving the matter for information, and only hears public presentations on an information report, if notice was given at a previous committee meeting.

The Chair's Ruling was challenged. The Ruling was not upheld.

NY23.25	ACTION	Adopted		Ward: 26
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### Final Report - Rezoning - 30 Commercial Road

*Statutory - Planning Act, RSO 1990*



## **Committee Recommendations**

North York Community Council recommends that:

1. City Council amend the Zoning By-law to permit a music recording and production facility substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report (January 14, 2009) from the Director, Community Planning, North York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

## **Decision Advice and Other Information**

The North York Community Council held a statutory public meeting on February 9, 2009, and notice was given in accordance with the Planning Act.

## **Origin**

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

## **Summary**

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

This application proposes to permit a music production and distribution facility at 30 Commercial Road.

The proposed music production and distribution facility has been in operation at 30 Commercial Road for several years without any negative impacts. City Planning has reviewed the application and determined that the proposed change in use meets the intent of the City of Toronto Official Plan.

Given the proposed operation's location, compatible with surrounding land uses and complies with the Official Plan, the proposed change in use is appropriate and the rezoning application should be approved.

## **Background Information**

Staff Report & Attachments 1-6 - 30 Commercial Road  
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18467.pdf>)

## **Speakers**

Jim Dymont, Meridian Planning Consultants, on behalf of the applicant

## **Motions**

*Motion to Adopt Item moved by Councillor John Parker (Carried)*

NY23.26	ACTION	Amended		Ward: 25
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## **Final Report - Rezoning, Site Plan Applications - 2512-2540 Bayview Avenue & 291-311 York Mills Road**

*Statutory - Planning Act, RSO 1990*

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council amend the Site Specific Zoning By-law No. 29589 substantially in accordance with the draft Zoning By-law Amendment in Attachment 5 to the report (January 12, 2009) from the Director, Community Planning, North York District, subject to adding the following Exception Regulation in the Zoning By-law:  
  
“(g) Parking Aisle Width  
  
(i) A parking aisle width of 10.84 m on the east side of the property is permitted.”
2. City Council approve the following additional condition:  
  
“That the store washrooms, constructed in accordance with the provisions of the Building Code, be accessible to customers and that signage be provided in accordance with the recommendations of the Executive Director of Municipal Licensing and Standards.”
3. City Council authorize the City Solicitor to make such stylistic and technical changes to draft Zoning By-law Amendment as may be required.
4. City Council approve in principle the conditions set out in Attachment 6 to the report (January 12, 2009) from the Director, Community Planning, North York District, the proposal for a second storey addition to the Shoppers Drug Mart, located at 2512-2540 Bayview Avenue and 291-311 York Mills Road, as indicated on the plans listed in Attachment 1 to the report (January 12, 2009) from the Director, Community Planning, North York District.
5. City Council delegate back to the Chief Planner or his designate the authority to issue Site Plan Approval and the final Site Plan Approval not be issued until the amending Zoning By-law is in effect.

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

The North York Community Council held a statutory public meeting on February 9, 2009, and notice was given in accordance with the Planning Act.

### **Origin**

(January 12, 2009) Report from Director, Community Planning, North York District

## Summary

This application was made on February 19, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to construct a second storey addition above the existing Shoppers Drug Mart located within the York Mills Shopping Centre at 2512-2540 Bayview Avenue and 291-311 York Mills Road.

This application was reviewed by Planning Staff and circulated divisions to assess the impact of the proposal. The application is consistent with the Official Plan and will have negligible impacts from a transportation perspective.

This report recommends approval of the applications to amend the Zoning By-law and Site Plan.

## Background Information

Staff Report & Attachments 1-6 - 2512-2540 Bayview Ave & 291-311 York Mills Rd  
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18513.pdf>)

## Communications

(February 4, 2009) e-mail from Reza Akbari (NY.New.NY23.26.1)

## Speakers

Rick Pennycooke, Planning Consultant, The Lakeshore Group, on behalf of the applicant

## Motions

*Motion to Amend Item moved by Councillor John Filion (Carried)*

That the staff recommendations in the Recommendation Section of the report (January 12, 2009) from the Director, Community Planning, North York District, be adopted subject to amending the Draft Zoning By-law Amendment, shown as Attachment 5 to the report (January 12, 2009) from the Director, Community Planning, North York District, as follows:

1. That the Draft Zoning By-law Amendment be amended by adding the following Exception Regulation:
  - “(g) Parking Aisle Width
    - (i) A parking aisle width of 10.84 m on the east side of the property is permitted.”

*Motion to Amend Item (Additional) moved by Councillor Howard Moscoe (Carried)*

That the Motion from Councillor Filion be amended by adding the following additional recommendation:

- “5. The store washrooms, constructed in accordance with the provisions of the Building Code, be accessible to customers and that signage be provided in accordance with the recommendations of the Executive Director of Municipal Licensing and Standards.”

**Declared Interests**

The following member(s) declared an interest:

Councillor Cliff Jenkins - owns property adjacent to the subject site.

NY23.27	ACTION	Amended		Ward: 23
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**Status Report & Request for Direction Report - Rezoning Application - 2952-2958 Bayview Ave**

**Committee Recommendations**

North York Community Council recommends that:

1. City Council refuse the proposed Zoning By-law Amendment application in its present form for the reasons outlined in the report (February 4, 2009) from the Director, Community Council, North York District.
2. City Council authorize City Staff to appear before the Ontario Municipal Board Hearing in support of the recommendation above and in accordance with the recommended revisions as outlined in the report (February 4, 2009) from the Director, Community Planning, North York District, and the City Solicitor and any other appropriate City Staff be authorized to take such actions as necessary to give effect to the recommendations of the report (February 4, 2009) from the Director, Community Planning, North York District.
3. City Council approve the following revisions in addition to those already outlined in the report (February 4, 2009) from the Director, Community Planning, North York District:
  - a. that the proposed third floor balconies be setback approximately 15 metres from the rear property line, and that the size be reduced so that they are more in keeping with what is permitted in the adjacent R4 neighbourhood; and
  - b. that all purchasers be advised that garbage must be stored in the unit.
4. Should the Site Plan Control application be appealed to the Ontario Municipal Board, City Council authorize the City Solicitor and City Staff to appear before the Board in support of the position that the Site Plan Application not be approved in its present form.

**Decision Advice and Other Information**

North York Community Council:

1. Requested the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Technical Services, to report directly to City Council, for its meeting on February 23 and 24, 2009, on:

- a. the provision to accommodate Toronto's three phase garbage/recycling system; and
- b. the extent to which the driveway and garage entrances conform with the City's attempt to prevent basement flooding.

### **Origin**

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

### **Summary**

The Request for Direction report will seek Council's direction for staff to attend the Ontario Municipal Board in support of the position to refuse the application in its current form for Zoning By-law Amendment to permit the construction of eleven 3-storey townhouses at 2952 to 2958 Bayview Avenue.

### **Background Information**

Staff Report - 2952-2958 Bayview Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18510.pdf>)

### **Communications**

(February 9, 2009) fax from Michael Bowman, Osler, Hoskin & Harcourt, LLP, with attachments, on behalf of Symmetry Developments Inc. (NY.New.NY23.27.1)

### **Speakers**

Jordan Ross, Solicitor, Osler Hoskin & Harcourt, LLP, on behalf of the applicant  
Joan Bennett

### **Motions**

*Motion to Amend Item moved by Councillor John Filion (Carried)*

That the staff recommendations in the Recommendation Section of the report (January 22, 2009) from the Director, Community Planning, North York District, be approved subject to adding the following recommendations:

1. That the proposed third floor balconies be setback approximately 15 metres from the rear property line, and that the size be reduced so that they are more in keeping with what is permitted in the adjacent R4 neighbourhood; and
2. all purchasers be advised that garbage must be stored in the unit.

*Motion to Amend Item moved by Councillor Howard Moscoe (Carried)*

That the Motion by Councillor Filion be amended by adding the following:

1. Staff report directly to Council on the following:
  - a. the provision to accommodate Toronto's three phase garbage/recycling system; and

- b. extent to which the driveway and garage entrances conform with the City's attempt to prevent basement flooding.

**Vote** (Amend Item)

Feb-09-2009

<b>Result: Carried</b>	
Yes: 9	Augimeri, Carroll, Filion, Jenkins, Moscoe, Parker, Perruzza, Shiner, Stintz
No: 0	
Absent: 2	Feldman, Minnan-Wong

### 27a Request for Direction Report - Rezoning Application - 2952-2958 Bayview Avenue

#### Origin

(February 4, 2009) Report from Director, Community Planning, North York District

#### Summary

This application was made on June 25, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The application proposes to amend the Zoning By-law No. 7625 to permit the construction of eleven 3-storey townhouses at 2952 to 2958 Bayview Avenue.

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

The purpose of this report is to seek Council's direction for staff to attend the Ontario Municipal Board in opposition to the development as currently proposed. A hearing date has been scheduled for March 25, 2009.

#### Background Information

Staff Report & Attachments 1-4 - 2952-2958 Bayview Avenue  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18865.pdf>

NY23.28	ACTION	Deferred		Ward: 24
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### Review of Site Plan Approval - 12 Rean Drive- Shared Loading and Waste Collection Area

**Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board**

#### Decision Advice and Other Information

North York Community Council:

1. Deferred consideration of the report (January 21, 2009) from the City Solicitor, to its meeting on March 26, 2009.
2. Requested the City Solicitor and the Director, Community Planning, North York District, to report further on the questions and issues raised in the February 4, 2009 attachment from Mr. John Craig on behalf of the TSCC#1498.

### Origin

(January 21, 2009) Report from City Solicitor

### Summary

Item No. NY22.41, adopted by North York Community Council at its meeting on January 13, 2009, requests the City Solicitor to report to NYCC on February 9, 2009, on the site plan approval process undertaken for the property at 12 Rean Drive and any potential liability to the City for approving the site plan application. As a condition of their site plan approval, the owner of 12 Rean Drive was required to enter into an easement agreement for a shared loading and waste collection area located on the property at 8 Rean Drive. An easement right for access to the proposed shared area was registered on title; however an easement agreement containing provisions regarding maintenance and cost sharing was not entered into.

The obligation to enter into an easement agreement for shared loading and waste collection was satisfied by the applicant. Technical Services only required access rights to the shared loading and waste collection, and did not require proof of a formal maintenance and cost sharing arrangement between the two private property owners. The confidential attachment to this report comments on whether the City may be subject to any liability for approving the site plan application for 12 Rean Drive without requiring a maintenance or cost sharing agreement.

### Background Information

Staff Report - 12 Rean Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18526.pdf>

Communication from John Craig on behalf of TSCC #1498, submitted by Councillor Shiner

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18892.pdf>

### Motions

*Motion to Defer Item moved by Councillor David Shiner (Carried)*

That the report (January 21, 2009) from the City Solicitor, be deferred to the North York Community Council meeting on March 26, 2009, and that the City Solicitor and the Director, Community Planning, North York District, report further on the questions and issues raised in the February 4, 2009 attachment from Mr. John Craig on behalf of the TSCC#1498.

NY23.29	ACTION	Adopted		Ward: 24
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**Ontario Municipal Board Hearing Representation - Committee of Adjustment Application - 100 Cresthaven Drive**

## Committee Recommendations

North York Community Council recommends that:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and attend the Ontario Municipal Board Hearing to uphold the City's By-law and the Committee of Adjustment's decisions.

## Origin

(February 6, 2009) Member Motion from Councillor Shiner

## Summary

Natle Maltese, in trust, the owner of 100 Cresthaven Drive, submitted an application to the North York District Committee of Adjustment to sever the existing 24.55m (80.5') lot into two parts in order to create two new residential building lots having frontages of 11.64m (38.2'). The existing dwelling would be demolished and a new two storey dwelling would be constructed on each of the proposed lots.

Variances are requested with a respect to lot frontage, lot area, side yard setbacks, lot coverage, building length and number of parking spaces.

The Committee of Adjustment for the City of Toronto (North District) refused the consent application and the two associated minor variance applications the applications at the January 21, 2009 meeting.

The applicant has appealed the consent and minor variance decisions of the Committee of Adjustment to the Ontario Municipal Board.

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

The Councillor is requesting legal representation at the Ontario Municipal Board hearing.

## Background Information

Member Motion - 100 Cresthaven Drive

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18883.pdf>)

Staff Report to the Committee of Adjustment - 100 Cresthaven Drive

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18884.pdf>)

Minutes - Committee of Adjustment - 100 Cresthaven Drive

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18885.pdf>)

Notice of Decision - Committee of Adjustment - B0087 - 100 Cresthaven Drive

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18886.pdf>)

Notice of Decision - Committee of Adjustment - A0721 - 100 Cresthaven Drive

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18887.pdf>)

Notice of Decision - Committee of Adjustment - A0722 - 100 Cresthaven Drive

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18888.pdf>)

## Motions

*Motion to Add New Business at Committee moved by Councillor David Shiner (Carried)*



*Motion to Adopt Item moved by Councillor David Shiner (Carried)*

That Council authorize the City Solicitor to retain outside Planning Consultants and attend the Ontario Municipal Board Hearing to uphold the City's By-law and the Committee of Adjustment's decisions.

NY23.30	ACTION	Adopted		Ward: 24
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**Report Request - Parking Facilities - Finch Avenue East****Decision Advice and Other Information**

North York Community Council requested the Director, Community Planning, North York District, in consultation with the Toronto Parking Authority, to report to the North York Community Council meeting on April 21, 2009, with recommendations on ways to provide Green P (city owned/operated) parking facilities along Finch Avenue East in Ward 24 to meet the growing need for additional parking in the area.

**Origin**

(February 9, 2009) Member Motion from Councillor Shiner

**Summary**

Zoning amendments along Finch Avenue East under the current Official Plan permits existing single family homes to be converted to mixed and commercial uses. The Official Plan also permits many commercial uses of the lands. Often these applications have insufficient parking available on site which may create difficulties in the existing stable residential communities nearby. When considering applications in other areas of the City and working with the Toronto Parking Authority, many neighbourhood parking facilities have been constructed.

The City owns and operates Carefree Lodge, a long-term care facility on Finch Avenue East near Bayview Avenue. Employees, visitors and volunteers experience great difficulty in finding parking and may welcome additional parking nearby.

With a number of new commercial uses being approved or under consideration in the area and the parking difficulties experienced at Carefree Lodge it may be worthwhile to explore city owned parking facilities along Finch Avenue E. between Yonge Street and Bayview Avenue in Ward 24.

**Background Information**

Member Motion - Parking Facilities

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18890.pdf>

**Motions**

*Motion to Add New Business at Committee moved by Councillor David Shiner (Carried)*

*Motion to Adopt Item moved by Councillor David Shiner (Carried)*

That the Director of City Planning for the North York District in consultation with the Toronto Parking Authority report to the April 21, 2009 meeting of the North York Community Council with recommendations on ways to provide Green P (city owned/operated) parking facilities along Finch Avenue E. in Ward 24 to meet the growing need for additional parking in the area.

NY23.31	ACTION	Amended		Ward: 24
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### **Report Request - Transient Traffic into the City of Toronto from the 905 area**

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

North York Community Council requested that, in order to maintain the number of transient vehicles to the current traffic volumes, the General Manager, Transportation Services Division, report to the North York Community Council meeting on September 15, 2009, on ways to mitigate or reduce the impact of additional traffic on City roadways and make recommendations on how to encourage developers in York Region, between Highway No. 404 and Bathurst Street, to be more dependent on public transportation into the City of Toronto.

#### **Origin**

(February 9, 2009) Member Motion from Councillor Shiner

#### **Summary**

Further to item NY 13.16 and the report from the Director of Community Planning and the Director of Transportation Services, North York regarding 2900 Steeles Avenue East at Don Mills Road in the Town of Markham, City staff have identified that 2,056 apartment dwelling units have been proposed for this development.

At a recent public consultation meeting the developer of 2900 Steeles Avenue E. advised residents that their proposal is dependent on the capacity of the City of Toronto roadways and the proposed rapid transit expansion.

York Region is conducting studies to widen Bayview Avenue, Leslie Street/DonMills Road in order to provide added capacity to the City of Toronto boundary.

Currently the residents of Willowdale are inundated by transient traffic entering the community from the 905.

Development in the City of Toronto is based on increasing public transportation not on enhancing current roadways.

Increased development in the 905 area will impact major arterial and residential roadways in the City of Toronto.

In order to maintain the number of transient vehicles to the current traffic volumes, that staff of the Transportation Services department report to the September 15, 2009 North York Community Council on ways to mitigate or reduce the impact of additional traffic on City roadways and make recommendations on how to encourage developers in York Region, between Hwy. 404 and Yonge Street to be more dependent on public transportation into the City of Toronto.

### Background Information

Member Motion - Transient Traffic

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18889.pdf>)

### Motions

*Motion to Add New Business at Committee moved by Councillor David Shiner (Carried)*

*Motion to Amend Item moved by Councillor David Shiner (Carried)*

That in order to maintain the number of transient vehicles to the current traffic volumes, staff of the Transportation Services Division report to the September 15, 2009 North York Community Council meeting on ways to mitigate or reduce the impact of additional traffic on City roadways and make recommendation on how to encourage developers in York Region, between Hwy. 404 and Bathurst Street to be more dependant on public transportation into the City of Toronto.

NY23.32	ACTION	Adopted		
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### York Region - Bayview Avenue Class EA from John Street to Major Mackenzie Drive

#### Committee Recommendations

North York Community Council recommends that:

1. City Council not support the Regional Municipality of York's proposal to widen Bayview Avenue from John Street to Major Mackenzie Drive.

#### Origin

(February 9, 2009) Member Motion from Councillor Shiner

#### Summary

At the last Toronto City Council meeting of January 27 and 28, 2009 Council endorsed the extension of the Yonge subway line to Hwy. 407 with the intention of providing better access via public transit.

The Regional Municipality of York is currently conducting additional analyses and consultation work with respect to the Bayview Avenue Class EA from Major Mackenzie Drive to John Street. The EA is a proposal to widen Bayview Avenue to provide better access for the 905 region.

Bayview Avenue is an extremely busy four lane street in the City of Toronto south of Steeles Avenue East.

Currently a very high volume of transient traffic from the 905 by-passes the daily Bayview Avenue traffic chaos by travelling along John Street to Henderson Avenue and crossing Steeles Avenue at the Henderson Avenue/Maxome Avenue intersection. This has created a very unacceptable situation in the stable Willowdale residential community.

City staff from Infrastructure Planning, Transportation Services Division have advised that they have only requested information on the status of this study and have not provided any formal comments to York Region. As indicated in their October 2007 report to the North York Community Council, the limits of York Region's Bayview Avenue project are approximately John Street to Major Mackenzie Drive. Staff have considered this project to have no impact on cross boundary travel capacity. They have not focused discussions between the City of Toronto and York Regions staff on managing cross-boundary travel. At this point City staff do not know what York Region might bring forward.

Any widening of Bayview Avenue from Major Mackenzie Drive to John Street will further exacerbate the traffic problems in Willowdale and increase the volumes of transient traffic using the Henderson Avenue/Maxome Avenue intersection.

### **Background Information**

Member Motion - Bayview Ave, from John St to Major Mackenzie Dr  
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18891.pdf>)

### **Motions**

*Motion to Add New Business at Committee moved by Councillor David Shiner (Carried)*

*Motion to Adopt Item moved by Councillor David Shiner (Carried)*

That the North York Community Council recommend to City Council that the City of Toronto not support the Regional Municipality of York's proposal to widen Bayview Avenue from John Street to Major Mackenzie Drive.

NY23.33	ACTION	Amended		
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### **Planning Report Requests - Planning Applications in York Region abutting the North York Community Council Boundary Area**

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

North York Community Council:

1. Directed the Chief Planner and Executive Director, City Planning Division, that all planning reports on planning applications from other municipalities within 300 metres of Steeles Avenue abutting North York Community Council area that are circulated to the City of Toronto for comments, not be tabled as "Information Only" reports.

2. Directed the Director, Community Planning, North York District, and the Director, Transportation Services, North York District, to report to North York Community Council on all planning applications abutting the North York District which the City of Toronto has received and are still under review in regard to the lands on the north side of Steeles Avenue in York Region.

**Summary**

Motions submitted by Councillor Moscoe and Councillor Shiner regarding planning report requests for planning applications in York Region that abut the North York Community Council Boundary Area.

**Motions**

*Motion to Add New Business at Committee moved by Councillor Howard Moscoe (Carried)*

*Motion to Adopt Item moved by Councillor Howard Moscoe (Carried)*

That the Chief Planner and Executive Director, City Planning Division, be directed that all planning reports on planning applications from other municipalities within 300 metres of Steeles Avenue abutting North York Community Council that are circulated to the City of Toronto for comments not be tabled as “Information Only” reports.

*Motion to Amend Item moved by Councillor David Shiner (Carried)*

That the Director, Community Planning, North York District, and the Director, Transportation Services, North York District, report all planning applications abutting the North York District which the City of Toronto has received and are still under review in regard to the lands on the north side of Steeles Avenue in York Region, to North York Community Council.

*Motion to Adopt Item as Amended moved by Councillor David Shiner (Carried)*

NY23.34	ACTION	Adopted		Ward: 24
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**Report Request - 3670 Victoria Park Avenue**

**Decision Advice and Other Information**

North York Community Council:

1. Requested the Chief Planner and Executive Director, City Planning Division, to report to the North York Community Council meeting on April 21, 2009, and prior to approving the condominium application for 3670 Victoria Park Avenue, on:
  - a. the history of this application;
  - b. whether the previous approval takes into account the impacts of this building being converted to condominium buildings; and
  - c. ways that North York Community Council may review similar condominium applications.

## Summary

3670 Victoria Park Avenue was subject to a Committee of Adjustment application in August of 2008 to reduce the parking from 164 to 145 spaces, as the building was to be used as a public storage facility.

Subsequently, a Site Plan application was submitted and approved for the public storage facility.

Recently a condominium application was received which will now bring the building into multiple ownership not necessarily for use as a storage building.

This was not considered when the variance or site plan was approved.

Condominium approval is delegated to the Chief Planner and Executive Director, City Planning Division, and is not subject to bump up to Council.

## Motions

*Motion to Add New Business at Committee moved by Councillor David Shiner (Carried)*

*Motion to Adopt Item moved by Councillor David Shiner (Carried)*

That the Chief Planner and Executive Director, City Planning Division, report to the April 21, 2009 North York Community Council meeting and prior to approving the condominium application for 3670 Victoria Park Avenue on the history of this application, whether the previous approval takes into account the impacts of this building being converted to condominium buildings and ways that North York Community Council may review similar condominium applications.

NY23.35	ACTION	Adopted	Delegated	
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## Enactment of By-laws

### Committee Decision

#### General Bills

North York Community Council enacted By-laws 160-2009 to 161-2009.

#### Confirmatory Bill

North York Community Council passed a Confirmatory Bill as By-law 162-2009.

## Summary

Introduction and consideration of Bills for enactment as By-laws.

## Background Information

North York Community Council By-law Index for February 9, 2009  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18924.pdf>

**Motions**

*Motion to Introduce and Pass General Bills moved by Councillor Karen Stintz (Carried)*

That the North York Community Council pass and declare as by-laws Bills 159 to 160.

Bill No.	By-law No.	Title and Authority
159	160-2009	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Livingstone Avenue.  North York Community Council Item 5.24, adopted as amended, by North York Community Council on May 1, 2007 under the delegated authority of Sections 27-149B and 27-152 of Chapter 27, Council Procedures, of the City of Toronto Municipal Code.
160	161-2009	To amend By-law No. 31001 of the former City of North York, respecting the regulation of traffic on North York roads, regarding Viewmount Avenue.  North York Community Council Item 22.11, as adopted by North York Community Council on January 13, 2009 under the delegated authority of Sections 27-149B and 27-152 of Chapter 27, Council Procedures, of the City of Toronto Municipal Code.

The following bill was withdrawn:

161		To amend By-law No. 31001 of the former City of North York, respecting the regulation of traffic on North York roads, regarding Clarinda Drive.
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**Vote** (Introduce and Pass General Bills)

Feb-09-2009

<b>Result: Carried</b>	
Yes: 8	Augimeri, Filion, Jenkins, Moscoe, Parker, Perruzza, Shiner, Stintz
No: 0	
Absent: 3	Carroll, Feldman, Minnan-Wong

*Motion to Introduce and Pass Confirmatory Bill moved by Councillor John Parker (Carried)*

That the North York Community Council pass and declare as a by-law a confirmatory bill to confirm the legislative proceeding of the North York Community Council acting under delegated authority at its meeting on February 9, 2009.

197	162-2009	To confirm the proceedings of North York Community Council at its meeting held on the 9th day of February, 2009 as it relates to decisions made under delegated authority.  (this final confirming By-law confirms the actions taken by Community Council under delegated authority at this meeting, including the enactment of any previous confirming By laws).
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**Vote** (Introduce and Pass Confirmatory Bill)

Feb-09-2009

<b>Result: Carried</b>	
Yes: 8	Augimeri, Filion, Jenkins, Moscoe, Parker, Perruzza, Shiner, Stintz
No: 0	
Absent: 3	Carroll, Feldman, Minnan-Wong

**Procedural Motions**

Councillor Filion, at 12:30 p.m., moved that the North York Community Council continue in session past the scheduled lunch recess in order to complete the remaining items on the agenda. (*Carried*)

**Meeting Sessions**

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2009-02-09	Morning	9:40 AM	1:10 PM	Public

**Attendance**

Date and Time	Quorum	Members
2009-02-09 9:40 AM - 1:10 PM (Public Session)	Present	<i>Present:</i> Augimeri, Carroll, Filion, Jenkins, Moscoe, Parker, Perruzza, Shiner, Stintz <i>Not Present:</i> Feldman, Minnan-Wong

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 Chair