
**NORTH YORK COMMUNITY COUNCIL
AGENDA
MEETING No. 4**

Date of Meeting: May 8, 2002

Time: 10:00 a.m.

Location: North York Civic Centre

Council Chambers

5100 Yonge Street, Lower Level

Enquiry: Francine Adamo

Administrator

395-7348

fadamo@city.toronto.on.ca

**DECLARATIONS OF INTEREST PURSUANT TO
THE MUNICIPAL CONFLICT OF INTEREST ACT.**

CONFIRMATION OF MINUTES OF THE MEETING OF APRIL 3, 2002

(An electronic version will be distributed to the Members.)

COMMUNICATIONS/REPORTS

- 1. SPECIAL OCCASION PERMIT – COMMUNITY EVENT – QUATTRO COMMUNICATIONS INC. – CANADA DAY CELEBRATION – PARC DOWNSVIEW PARK – MONDAY, JULY 1, 2002 – 11:00 A.M. TO 11:00 P.M.**

Ms. Jennifer White, Account Executive, Quattro Communications Inc.
(April 3, 2002)

Requesting that the Community Council, for liquor licensing purposes, declare the Canada Day Celebration to be held on Monday, July 1, 2002 from 11:00 a.m. to 11:00 p.m. at the Parc Downsview Park, to be an event of municipal and/or community significance.

- 2. ENCROACHMENT REPORT – TRIOMPHE PHASE II – EMINENT CONSTRUCTION LIMITED – 15 NORTHTOWN WAY – WARD 23 – WILLOWDALE**

North District Manager, Municipal Licensing & Standards & Court Services
Urban Development Services
(April 23, 2002)

Reporting on a request by the applicant, Eminent Construction Limited for an encroachment at 15 Northtown Way of ten metal and glass retail canopies each .685 metres x 2.603 metres = 1.783 square metres over City right-of-way at Doris Avenue, located along the east elevation of the subject project as shown on Encroachment Plan dated June 4, 2001, prepared by Burka Architects Inc.; and **recommending** that:

- (1) the encroachment be approved by the City, subject to the condition that the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the Commissioner of Urban Development Services and the City Solicitor;
- (2) that written responses be received from the utility companies prior to registration of the encroachment agreement; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

3. STREET NAME CHANGE – BREEDERS CIRCLE – WARD 33 – DON VALLEY EAST

City Surveyor, Works and Emergency Services
(April 22, 2002)

Recommending that the street named “Breeders Circle, located in the residential development at 5365 Leslie Street, be renamed to “Green Meadows Circle”; and further **recommending** that:

- (1) subject to the statutory requirements for changing the name of a street under the Municipal Act, “Breeders Circle” be renamed to “Green Meadows Circle”; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

4. RIGHT TURN LANE DESIGNATION – JANE STREET AT RITA DRIVE, YEW TREE BOULEVARD AND FIRGROVE CRESCENT (SOUTH LEG) – WARD 8 – YORK WEST

Director, Transportation Services, District 3, Works and Emergency Services
(April 22, 2002)

Reporting on the designation of the curb lanes for right turns only, buses excepted, on Jane Street at Rita Drive, Yewtree Boulevard and Firgrove Crescent (south leg); and **recommending** that:

- (1) the northbound curb lane on Jane Street at Rita Drive, be designated for right turning vehicles only, buses excepted, between Jane Street and a point 20 metres southerly thereof;
- (2) the northbound curb lane on Jane Street at Yewtree Boulevard, be designated for right turning vehicles only, buses excepted, between Jane Street and a point 20 metres southerly thereof;
- (3) the southbound curb lane on Jane Street at Firgrove Crescent (south leg), be designated for right turning vehicles only, buses excepted, between Jane Street and a point 20 metres northerly thereof; and
- (4) the appropriate by-law(s) be amended accordingly.

5. WESTBOUND RIGHT TURN LANE DESIGNATION – FINCH AVENUE EAST AT BRAHMS AVENUE – WARD 24 - WILLOWDALE AND WARD 33 – DON VALLEY EAST

Director, Transportation Services, District 3, Works and Emergency Services
(April 23, 2002)

Reporting on the dedication of the westbound curb lane on Finch Avenue East at Brahms Avenue for right turns only, buses excepted; and **recommending** that:

- (1) the westbound curb lane on Finch Avenue East, from Brahms Avenue to a point 60 metres easterly thereof, be designated for right turns only, buses excepted; and
- (2) the appropriate by-law(s) be amended, accordingly.

6. PARKING PROHIBITIONS – LUVERNE AVENUE – WARD 10 – YORK CENTRE

Director, Transportation Services, District 3, Works and Emergency Services
(April 11, 2002)

Reporting on amending the current parking prohibitions/restrictions on Luverne Avenue; and **recommending** that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York be amended to delete the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday prohibitions on both sides of Luverne Avenue, from the westerly limit of Laurentia Crescent to the easterly limit of Champlain Boulevard;

- (2) Schedule VIII of By-law No. 31001, of the former City of North York be amended to prohibit parking from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the north side of Luverne Avenue, from the westerly limit of Laurentia Crescent to the easterly limit of Champlain Boulevard; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York be amended to prohibit parking from 7:00 a.m. to 10:00 a.m., Monday to Friday, on the south side of Luverne Avenue, from the westerly limit of Laurentia Crescent to the easterly limit of Champlain Boulevard;

7. PARKING PROHIBITIONS – KENNETH AVENUE – WARD 23 – WILLOWDALE

Director, Transportation Services, District 3, Works and Emergency Services
(April 18, 2002)

Reporting on amending the existing parking regulations on the west side of Kenneth Avenue, between Finch Avenue East and Olive Avenue; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday prohibitions on the east side of Kenneth Avenue, from the southerly limit of Finch Avenue East to the northerly limit of Holmes Avenue;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking between the hours of 8:00 a.m. and 6:00 p.m., Monday to Friday, on the east side of Kenneth Avenue, from the southerly limit of Olive Avenue to the northerly limit of Holmes Avenue; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on both sides of Kenneth Avenue, from the southerly limit of Finch Avenue East to the northerly limit of Olive Avenue.

8. NORTHBOUND RIGHT TURN LANE DESIGNATION – ISLINGTON AVENUE AT STEELES AVENUE WEST – WARD 7 – YORK WEST

Director, Transportation Services, District 3, Works and Emergency Services
(April 22, 2002)

Reporting on the dedication of the northbound curb lane on Islington Avenue at Steeles Avenue West for right turns only, buses excepted; and recommending that:

- (1) the northbound curb lane on Islington Avenue at Steeles Avenue West, be designated for right turning vehicles only, buses excepted, between Islington Avenue and a point 70 metres southerly thereof; and
- (2) the appropriate by-law(s) be amended accordingly.

9. STOPPING PROHIBITIONS – ELLISON AVENUE – WARD 10 – YORK CENTRE

Director, Transportation Services, District 3, Works and Emergency Services
(April 15, 2002)

Reporting on amending the existing stopping/parking regulations on Ellison Avenue; and **recommending** that:

- (1) Schedule VIII, of By-law No. 31001, of the former City of North York be amended to delete the No Parking Anytime prohibition on the north side of Ellison Avenue, from the westerly limit of Bathurst Street to the westerly limit of Ellison Avenue;
- (2) Schedule VIII, of By-law No. 31001, of the former City of North York be amended to prohibit parking at anytime on the north side of Ellison Avenue, from the westerly limit of Bathurst Street to a point 143 metres westerly thereof; and
- (3) Schedule IX, of By-law No. 31001, of the former City of North York be amended to prohibit stopping at anytime on both sides of Ellison Avenue, from a point 143 metres west of the westerly limit of Bathurst Street to a point 46 metres westerly thereof.

10. AMENDMENT TO TURN PROHIBITIONS – SHEPPARD AVENUE WEST AT EASTON ROAD – WARD 23 – WILLOWDALE

Director, Transportation Services, District 3, Works and Emergency Services
(April 25, 2002)

Reporting on amending the current turn prohibitions at the Sheppard Avenue West/Easton Road intersection to permit right turns by bicycles, during the a.m. peak period; and **recommending** that:

- (1) eastbound right turns from Sheppard Avenue West to Easton Road be prohibited from 7:00 a.m. to 9:00 a.m., Monday to Friday, buses and bicycles excepted; and
- (2) the appropriate by-law(s) be enacted.

11. APPEAL FROM THE DECISION OF THE COMMITTEE OF ADJUSTMENT – 752 GLENGROVE AVENUE – WARD 15 – EGLINTON-LAWRENCE

City Clerk, Humber York Community Council
(April 8, 2002)

Advising that the Humber York Community Council, at its meeting held on April 2, 2002:

- (1) received the report dated March 8, 2002 from the Acting City Solicitor; and
- (2) directed that a copy of this report be forwarded to the Humber York Committee of Adjustment, the North York Committee of Adjustment, and the North York Community Council.

12. PRELIMINARY REPORT – APPLICATION TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW - TB CMB 2002 0003 – 1430731 ONTARIO LIMITED, C/O PMG PLANNING CONSULTANTS – 775 STEELES AVENUE WEST – WARD 10 – YORK CENTRE

Director, Community Planning, North District, Urban Development Services
(April 11, 2002)

Providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process; and **recommending** 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.

13. PRELIMINARY REPORT – APPLICATION TO AMEND THE OFFICIAL PLAN AND APPLICATION TO AMEND THE ZONING BY-LAW – TB OPA 2002 0001 & TB ZBL 2002 0001 – NAMARA DEVELOPMENTS LTD. – SOUTHEAST CORNER OF JANE STREET AND TROUTBROOKE DRIVE – WARD 9 – YORK CENTRE

Director, Community Planning, North District, Urban Development Services
(April 18, 2002)

Providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process; and **recommending** 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.

14. PRELIMINARY REPORT – APPLICATION TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW – TB CMB 2002 0004 – KEELE VALLEY PROPERTIES LIMITED – 3792-3846 BATHURST STREET – WARD 10 – YORK CENTRE

Director, Community Planning, North District, Urban Development Services
(April 22, 2002)

Providing preliminary information on the above noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process; and **recommending** that:

- (1) Staff be directed to schedule a joint community consultation meeting on both applications 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.

15. FURTHER PRELIMINARY REPORT – REVISED APPLICATION TO AMEND THE NORTH YORK ZONING BY-LAW 7625 – UDZ-97-36 AND UDSB 1233 – ELDERBROOK DEVELOPMENTS – FINCH AVENUE WEST BETWEEN YORK GATE BOULEVARD AND NORFINCH DRIVE – WARD 8 – YORK WEST

(DEFERRED FROM THE NORTH YORK COMMUNITY COUNCIL MEETING OF APRIL 3, 2002)

Director, Community Planning, North District, Urban Development Services
(December 19, 2001)

Reporting on a revised application for 780 apartment units and 184 townhouse and semi-detached units and to seek Community Council's directions on further processing of the application and on the community consultation process; and recommending 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 305 metres of the site, as previously directed by Council;
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act and to residents within 305 metres of the site, as previously directed by Council.

16. FINAL REPORT – APPLICATION TO PERMIT THE CONSTRUCTION OF MAUSOLEUMS WITHIN AN EXISTING CEMETERY UNDER THE CEMETERIES ACT – TB SPC 2001 0120 AND TB SPC 2002 0009 – WESTSIDE CEMETERY LIMITED – 5830 BATHURST STREET – WARD 10 – YORK CENTRE

Director, Community Planning, North District, Urban Development Services
(April 19, 2002)

Reporting on a request under the Cemeteries Act to construct additional mausoleums within an existing cemetery; and **recommending** that City Council permit the construction of an additional 7 mausoleums within an existing cemetery without a public hearing subject to the following:

- (1) the City Clerk prepare a “Notice of Decision” under the requirements of the Cemeteries Act (Revised) indicating Council’s decision on this matter for publication in a local newspaper and that the applicant be requested to pay for this notice.

17. SITE PLAN CONTROL APPLICATION NO. TB SPC 2001 0084 – AMICA (BAYVIEW) CORPORATION – 15 BARBERRY PLACE – WARD 24 – WILLOWDALE

Director, Community Planning, North District, Urban Development Services
(April 23, 2002)

Reporting on a site plan control application for the subject site, which proposal has been referred by Councillor David Shiner to City Council for a decision through the North York Community Council in accordance with By-law 483-200; and **recommending** that City Council approve the proposed 8-storey, 140-unit retirement home as indicated on the drawings on file entitled:

- (i) Site Plan, drawing SK-01e, dated December 13, 2001, prepared by Northgrave Architect Inc.;
- (ii) Ground Floor Plan, drawing SK-03e, dated December 13, 2002, prepared by Northgrave Architect Inc.;
- (iii) Elevations, drawings SK-07e and SK-08e, dated December 12, 2001, prepared by Northgrave Architect Inc.;
- (iv) Ground Floor Landscape Plan, drawing L-1, dated January 8, 2002, prepared by Terraplan Landscape Architects;

- (v) Second Floor Terrace Plan, drawing L-2, dated January 15, 2002, prepared by Terraplan Landscape Architects;
- (vi) Third Floor Landscape Plan, drawing L-3, dated January 15, 2002, prepared by Terraplan Landscape Architects;
- (vii) Landscape Details, drawing L-4, dated December 20, 2001, prepared by Terraplan Landscape Architects;
- (viii) Landscape Details, drawing L-5, dated November 22, 2001, prepared by Terraplan Landscape Architects;
- (ix) Detail Layout Plans, drawing L-6, dated December 20, 2001, prepared by Terraplan Landscape Architects;

and subject to the following conditions:

1. The lands shall be developed and maintained in accordance with the approved Site Plan drawings and conditions of approval. The Owner acknowledges that notwithstanding this approval, the lands shall be developed in accordance with the applicable zoning by-law(s) and that it is the responsibility of the Owner to ensure that the development is in conformity with the applicable zoning by-law(s) to the satisfaction of the Chief Building Official.
2. All of the work shown on the approved drawings and all of the work required by the conditions of this approval shall be completed within two years of the date of this approval, failing which, this approval shall require an extension by the Director of Community Planning, North District (the "Director"), or his successor, prior to the issuance of any building permit.
3. All refuse and recycling storage bins shall be stored within the building. Refuse and recycling bins/materials shall be transported to the collection area on collection days only. The Owner acknowledges that garbage shall be collected in accordance with garbage by-law 21732, as amended.
4. Parking spaces for persons with disabilities shall be identified with proper signage and logos to the satisfaction of the Director of Transportation Services - Works and Emergency Services Department, or his successor. All designated parking spaces, walkways and curb ramps shall conform with the City of Toronto (formerly North York), "Barrier-Free Accessibility, Design Guidelines and Policy Handbook (Exterior Guidelines)."
5. No signage, satellite dishes, cellular telephone antennae or associated equipment shall be provided on the roof of any building without the prior approval of the Director.

6. All driveways, loading and parking areas shall be paved with asphalt, turfstone, concrete or concrete unit pavers.
7. All site illumination shall be designed to prevent the spread of light onto adjacent properties.
8. Above-grade electrical transformers, gas regulators, and other equipment are not permitted above grade in any yard abutting a public street unless screened from view of Barberry Place with landscaping and fencing to the satisfaction of the Director, or his successor. All clearances from Toronto Hydro facilities must be maintained to the satisfaction of Toronto Hydro or such successor body. The owner shall make arrangements to the satisfaction of the affected Utility for the installation, relocation and protection of all utilities.
9. The municipal addresses shall be well-illuminated, provided in a prominent location and designed to be easily readable from adjacent streets.
10. The Owner shall develop the lands in accordance with the requirements and conditions, as contained in the memorandum of (refer to attached):
 - 10.1 Works & Emergency Services Department, Technical Services Division memorandum dated September 24, 2001, and November 19, 2001;
 - 10.2 Works & Emergency Services Department, Transportation Services Division January 15, 2002; and,
 - 10.3 Bell Canada letter dated September 27, 2001.
11. The applicant shall submit the following to the satisfaction of the Director before any building permit, other than a foundation permit, is issued:
 - 11.1 3 copies of a revised landscape plan which incorporates the following:
 - 11.1.1 a low decorative wall or fence along the entire Barberry Place frontage of the site and along a portion of the temporary driveway;
 - 11.1.2 planting and fencing that effectively screens the view of the above grade hydro transformer from the street;
 - 11.1.3 the location of the utilities, services and lighting on the public boulevard (lights shall conform with the design and standards developed for the NY Towers project); and,
 - 11.1.4 an irrigation plan, or as a minimum, the location of all exterior hose bibs.
 - 11.2 3 copies of a revised site plan that includes the changes inherent with the landscape plan and incorporates the requirements of the Works & Emergency Services Department;

- 11.3 Confirmation that arrangements have been made to satisfy the requirements of the *Technical Services Division* of the Works and Emergency Services Department as noted in their memoranda September 24, 2001 and November 19, 2001;
- 11.4 Confirmation that arrangements have been made to satisfy the requirements of the *Transportation Services Division* of the Works & Emergency Services Department as noted in their memorandum dated January 15, 2002;
- 11.5 The owner shall execute a site plan agreement prepared to the satisfaction of the City Solicitor and Director to register the approved drawings and conditions of approval on title. The agreement shall stipulate:
 - 11.5.1 The Owner shall submit a cost estimate with a letter of credit or certified cheque for the value of the landscaping and public art. The value of the public art component shall not exceed one percent of the cost of the building. The securities shall be submitted in a form satisfactory to the Chief Financial Officer in accordance with its standard format for letters of credit as of the date of submission of the letter to the City, and which shall provide for automatic renewal rights at the end of the term, to complete all outstanding work required by the conditions of approval. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North District, is satisfied that the property has been developed in accordance with the approved drawings and conditions of approval.
 - 11.5.2 The owner shall submit a proposal for the required public art component. The proposal shall address matters including, but not limited to, design, location, process, financing, implementation and timing to the satisfaction of the Director.
 - 11.5.3 The Owner acknowledges that where it fails to promptly complete the work required by this Agreement, the City, in addition to and without prejudice to any other rights which it may have pursuant to this Agreement or otherwise at law, may enter onto the lands, perform such work and take any steps as are required, in the sole discretion of the City, to carry out and complete the work.

- 11.5.4 The Owner agrees that the City has the right to recover the total cost of all work and materials, plus a management fee equal to 20 percent of the total cost of such work and materials. In addition to any other remedies it may have, the City may collect the sums owing in like manner as municipal taxes, with all such amounts to be payable as directed by City Council pursuant to Section 326 of the *Municipal Act*.
- 11.5.5 The Owner acknowledges that the City enters onto the lands solely as the agent of the Owner, and such entry shall not be deemed, for any purpose, to constitute acceptance or assumption of all or any portion of the work required by this Agreement.
- 11.5.6 The Owner agrees:
- 11.5.6.1 that it shall save harmless, defend and fully indemnify the City, and each of the persons under the City's jurisdiction, from and against all actions, suits, claims, and demands which may be brought against or made upon the City, and any persons under the City's jurisdiction, and from and against all loss, costs, charges, damages and expenses which may be sustained, incurred or paid by the City, and each of any persons under the City's jurisdiction, by reason of, or on account of, or in consequence of this clause;
 - 11.5.6.2 it will pay to the City and to each of any persons under the City's jurisdiction, on demand, any loss, costs, or damages which may be sustained, incurred or paid by the City in consequence of any such action, suit, claim or demand; and,
 - 11.5.6.3 on default of such payment all such loss, costs or damages and all such monies so paid or payable may be recovered in any court of competent jurisdiction.

It is further recommended that the Councillor's request to investigate the feasibility of providing weather protected sidewalks on the public right-of-way be referred to the Commissioner of Works and Emergency Services for research and as appropriate, a report to Council.

**DEPUTATION ITEMS/PUBLIC HEARINGS UNDER THE MUNICIPAL ACT/
STATUTORY PUBLIC MEETINGS UNDER THE PLANNING ACT:**

- 18. DRAFT BY-LAW – PROPOSED ROAD ALTERATION AND STOPPING UP AND CLOSING TO VEHICULAR TRAFFIC – PART OF DERVOCK CRESCENT – WARD 24 – WILLOWDALE**

PUBLIC HEARING – SCHEDULED FOR 10:15 A.M.

City Solicitor

(Draft By-law Not Yet Available)

- 18(a).** Clause No. 17 of North York Community Council Report No. 3, titled “Proposed Road Alteration and Stopping Up and Closing to Vehicular Traffic – Part of Dervock Crescent, east of Rean Drive – Ward 24 – Willowdale”, which was adopted, by the Council of the City of Toronto, at its meeting held on April 16, 17 and 18, 2002.

- 19. REQUEST FOR EXEMPTION TO THE NOISE BY-LAW NO. 31317 – 5000 YONGE STREET – MENKES 5000 YONGE DEVELOPMENTS LTD. – WARD 23 – WILLOWDALE**

DEPUTATION ITEM – SCHEDULED FOR 10:30 A.M.

North District Manager, Municipal Licensing & Standards and Court Services,
Urban Development Services
(April 9, 2002)

Reporting on a request for an exemption from Noise By-law No. 31317 for a period of six months commencing June 1, 2002 to December 1, 2002; to allow concrete finishers time to complete the process with concrete trowelling machines; and **recommending** that, in view of the proximity of this construction site to MTCC 595, located at 131 Beecroft Road, that the application be **refused**.

- 20. REQUEST FOR EXEMPTION TO THE SIGN BY-LAW – VARIANCE FOR THIRD PARTY WALL SIGN – 25 SHEPPARD AVENUE WEST – WARD 23 – WILLOWDALE**

DEPUTATION ITEM – SCHEDULED FOR 10:45 A.M.

Director and Deputy Chief Building Official, Urban Development Services
(April 5, 2002)

Reporting on a request for a variance from the sign by-law by Mr. Michael McRague of Abcon Media Group, to permit the construction of a temporary third party wall sign on the existing high-rise building on the subject property; and **recommending** that the request for a minor variance from the sign by-law be **refused**.

21. YORK UNIVERISTY SCHOLARSHIP AWARD WINNER

PRESENTATION – SCHEDULED FOR 11:15 A.M.

Presentation to the winner of the York University Scholarship award.

22. CANADIAN PROFESSIONAL SOCCER LEAGUE (CPSL) - AWARDING THE HOSTING OF THE ROGERS CUP CHAMPIONSHIP, “THE CPSL PLAYOFFS” TO THE NORTH YORK ASTROS SOCCER CLUB AT ESTHER SHINER STADIUM ON OCTOBER 18, 19 AND 20, 2002

PRESENTATION – SCHEDULED FOR 11:30 A.M.

23. SPECIAL OCCASION BEER GARDEN PERMIT REQUEST – NORTH YORK ASTROS SOCCER CLUB HOSTING ROGERS CUP CHAMPIONSHIP, “THE CPSL PLAYOFFS” – OCTOBER 18 – 20, 2002

Councillor P. Li Preti
(April 26, 2002)

Submitting the following Notice of Motion for consideration by the North York Community Council:

“WHEREAS The North York Astros Soccer Club will be hosting the Rogers Cup Championship, “The CPSL Playoffs”, at Esther Shiner Stadium on Friday, October 18, Saturday, October 19, and Sunday, October 20, 2002; and

WHEREAS This event is considered to be a community event; and

WHEREAS This event will include a Special Occasion Beer Garden; and

WHEREAS The Liquor License Board of Ontario requires that for events of this nature, approval be granted by City Council; and

WHEREAS beer gardens are not permitted on Board of Education property inside Esther Shiner Stadium, it is recommended that:

- (1) Permission be granted to hold this Special Occasion Beer Garden Permit event on the City leased lands on the north side of the Stadium in a designated fenced in area to meet regulations outlined in all City policies pertaining to alcohol consumption as well as those of the Alcohol and Gaming Commission of Ontario;
- (2) A Special Occasion Permit from the Liquor Licensing Board of Ontario be obtained;
- (3) A \$50.00 facility permit fee and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site be charged;
- (4) Proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured be provided;
- (5) All bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;
- (6) All regulations outlined in all City policies pertaining to alcohol consumption at the time of the event be complied with; and
- (7) The appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

BE IT RESOVED THAT North York Community Council and City Council, for liquor licensing purposes, declare this community event to be an event of municipal and/or community significance; that it has no objection to this event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.”

24. CANADIAN HISPANIC DAY PARADE EVENT – SEPTEMBER 15, 2002

PRESENTATION – SCHEDULED FOR 11:45 A.M.
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25. FINAL REPORT – APPLICATION TO AMEND THE ZONING BY-LAW – TB ZBL 2001 0008 – GREENFIELD QUALITY BUILDERS INC. – 130, 132, 134 FINCH AVENUE EAST – WARD 24 – WILLOWDALE

STATUTORY PUBLIC MEETING – SCHEDULED FOR 2:00 P.M.

Director, Community Planning, North District, Urban Development Services
(April 22, 2002)

Reporting on an application to amend the Zoning By-law to permit the development of 8 townhouses; and **recommending** that City Council:

- (1) Amend the Zoning By-law substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8.
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Before introducing the necessary Bills to City Council for enactment, the owner is required to:
 - (a) obtain site plan approval for this project from the Director, Community Planning, North District; and
 - (b) convey or cause to be conveyed to the City for a nominal fee, free of all encumbrances, for dedication as a public highway, a 4.9 metre road widening across the entire Finch Avenue West frontage of the site.

26. FINAL REPORT – APPLICATION TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW 7625 – UDOZ-00-17 – PMG PLANNING CONSULTING – 569 SHEPPARD AVENUE WEST & 4383 BATHURST STREET – WARD 10 – YORK CENTRE

STATUTORY PUBLIC MEETING – SCHEDULED FOR 2:15 P.M.

Director, Community Planning, North District, Urban Development Services
(April 24, 2002)

Reporting on an application to amend the Official Plan and the Zoning By-law to permit an additional 13 storey residential condominium building at the southeast corner of Bathurst Street and Sheppard Avenue East; and **recommending** that City Council:

- (1) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6.
- (2) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to City Council for enactment, require the owner to:
 - (a) enter into a Section 37 Agreement under the Planning Act securing:
 - (i) the existing rental apartment building remaining as rental for a minimum period of fifteen years and an agreement that no application for condominium conversion or application to demolish be made during that time period,
 - (ii) a cash contribution by the owner of \$83,500 for capital improvements to undertake one or more or portions of the following improvements to the existing rental buildings such that the cost of the improvements up to \$83,500 cannot be passed through to the tenants through rent increases:
 - (A) replacement of all windows in both buildings
 - (B) balcony, concrete and railing improvements
 - (C) underground parking garage remedial work
 - (D) plumbing upgrades
 - (E) elevator refurbishing and upgrades
 - (F) security system
 - (G) noise reduction of rooftop mechanical equipment
 - (b) obtain Site Plan Approval from the Director, Community Planning, North District, under Section 41 of the Planning Act.
 - (c) fully comply with any outstanding Orders issued under the Building Code Act for 4383 Bathurst Street or 569 Sheppard Avenue West to the satisfaction of the Municipal Licensing and Standards Division.

27. FINAL REPORT – APPLICATION TO AMEND THE ZONING BY-LAW 7625 – AND SITE PLAN APPROVAL – TB ZBL 2001 0018 AND TB SPC 2001 0096 – GREAT LANDS CORPORATION – 40, 42, 44, 48, 56, 60, 62 BYNG AVENUE, 28 AND 35 HOLMES AVENUE AND 426, 430, 434 KENNETH AVENUE – WARD 23 - WILLOWDALE

STATUTORY PUBLIC MEETING – SCHEDULED FOR 2:45 P.M.

Director, Community Planning, North District, Urban Development Services
(April 23, 2002)

Reporting on an application to amend the Zoning By-law 7625 for a 28-storey 308-unit apartment building and three 2-storey townhouses at 40 to 62 Byng Avenue, 28 and 35 Holmes Avenue and 426 to 434 Kenneth Avenue; and **recommending** that City Council:

- (1) amend the Zoning By-law 7625 for the subject property substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Before introducing the necessary Bills to City Council for enactment, require the owner to enter into the necessary Section 37 Agreement.
- (4) Before introducing the necessary Bills to City Council for enactment, the applicant shall have resolved to the satisfaction of the Commissioner of Corporate Services the purchase of the density from 28 Holmes Avenue or the bill be amended to eliminate the density associated with 28 Holmes Avenue.
- (5) It is recommended that City Council approve under Section 41 of the Planning Act, the proposed 28-storey apartment building with three townhouses as indicated on the drawings entitled:

Site Plan- A100 dated March 12, 2002, and as revised April 16, 2002 prepared by Northgrave Architects Inc.;

First Basement Floor Plan – A200 dated March 12, 2002 and as revised April 16, 2002 prepared by Northgrave Architects Inc.;

Second Basement Floor Plan – A201 dated March 12, 2002, and as revised April 16, 2002 prepared by Northgrave Architects Inc.;

Third Basement Floor Plan – A202 dated March 12, 2002, and as revised April 16, 2002 prepared by Northgrave Architects Inc.;

Ground Floor Plan – A203 dated March 12, 2002, prepared by Northgrave Architects Inc.;

2nd Floor Plan – A205 dated March 12, 2002, prepared by Northgrave Architects Inc.;

Cross-Section – A303 dated March 12, 2002, prepared by Northgrave Architects Inc.;

South Elevation – A302 dated March 12, 2002, prepared by Northgrave Architects Inc.;

North Elevation and Townhouse Elevations-A301 dated March 12, 2002, prepared by Northgrave Architects Inc.;

East and West Elevations – A300 dated March 12, 2002, prepared by Northgrave Architects Inc.;

Townhouses Upper Floor and Roof Plan – A213 dated March 12, 2002, prepared by Northgrave Architects Inc.;

subject to the following conditions of site plan approval:

- 5(1) The lands shall be developed and maintained in accordance with the approved Site Plan drawings and conditions of approval. The Owner acknowledges that notwithstanding this approval, the lands shall be developed in accordance with the applicable zoning by-law(s) and that it is the responsibility of the Owner to ensure that the development is in conformity with the applicable zoning by-law to the satisfaction of the Chief Building Official.
- 5(2) All of the work shown on the approved drawings and all of the work required by the conditions of this approval shall be completed within two year from the date of this approval failing which, this approval shall require an extension by the Director, Community Planning, North District (the “Director”), or his successor, prior to the issuance of any building permit.
- 5(3) All refuse and recycling storage shall be contained within the buildings. Refuse and recycling materials shall be transported to collection areas on collection days only. The Owner acknowledges that garbage shall be collected in accordance with garbage by-law 21732, as amended.

- 5(4) All driveways, loading and parking areas shall be paved with asphalt, turfstone, concrete or concrete unit pavers.
- 5(5) Designated parking spaces for persons with disabilities shall be identified with proper signage and logos to the satisfaction of the Director of Transportation Services - Works and Emergency Services Department, or his successor. All designated parking spaces, walkways and curb ramps shall conform with the City of Toronto (formerly North York), "Barrier-Free Accessibility, Design Guidelines and Policy Handbook (Exterior Guidelines)."
- 5(6) All site illumination shall be designed to prevent the spread of light onto adjacent properties.
- 5(7) No signage, satellite dishes, cellular telephone antennae or associated equipment shall be provided on the roof of the building, without the prior approval of the Director.
- 5(8) Above-grade electrical transformers, gas regulators, and other equipment are not permitted above grade unless within the mass of the building to the satisfaction of the Director, or his successor. All clearances from Toronto Hydro-Electric System Limited facilities must be maintained to the satisfaction of Toronto Hydro or such successor body. The owner shall make arrangements to the satisfaction of the affected Utility for the installation, relocation and protection of all utilities.
- 5(9) The municipal address of the project is to be well-illuminated, provided in a prominent location and designed to be easily readable from adjacent streets.
- 5(10) Site grading shall be designed to ensure that there are no drainage problems created on adjacent lands.
- 5(11) The Owner shall develop the lands in accordance with the requirements and conditions, as contained in the memorandum of (refer to attached):
- (a) Works & Emergency Services (Technical Services Division) memorandum dated April 5, 2002 and April 17, 2002.
 - (b) Economic Development, Culture and Tourism (Policy and Development) memorandum dated April 15, 2002.

- (c) Works & Emergency Services (Fire Services) memorandum dated October 17, 2001
 - (d) Toronto District School Board, letter dated October 18, 2001.
 - (e) Bell, letter dated October 19, 2001.
- 5(12) The applicant shall submit the following to the satisfaction of the Director, Community Planning, North District, before any building permit other than a foundation permit is issued for any building:
- (a) Confirmation that arrangements have been made to satisfy the requirements of the Technical Services Division of the Works and Emergency Services Department as noted in their memorandum dated April 5, 2002 and April 17, 2002
 - (b) Confirmation that arrangements have been made to satisfy the requirements of the Policy and Development Division of the Economic Development, Culture and Tourism Department as noted in their memorandum dated April 15, 2002;
 - (c) The owner shall submit an estimate of the costs and letter of credit to cover landscaping (i.e., fencing, planting, decorative paving, etc.) in a form satisfactory to the City Treasurer; and
 - (d) The Owner shall execute a site plan agreement, prepared to the satisfaction of the City Solicitor and the Director, to register the approved drawings and conditions of approval on title. The agreement shall stipulate the following:
 - (d)(i) 3 copies of revised landscape plans, including the relocation of the transformer either within the building or underground.
 - (d)(ii) The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 120% of the value of the landscaping including plantings, decorative paving and fencing. The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at

the end of the term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North District, is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.

- (d)(iii) The Owner acknowledges that where it fails to promptly complete the work required by this Agreement, the City, in addition to and without prejudice to any other rights which it may have pursuant to this Agreement or otherwise at law, may enter onto the lands, perform such work and take any steps as are required, in the sole discretion of the City, to carry out and complete the work.
- (d)(iv) The Owner agrees that the City has the right to recover the total cost of all work and materials, plus a management fee equal to 20 percent of the total cost of such work and materials. In addition to any other remedies it may have, the City may collect the sums owing in like manner as municipal taxes, with all such amounts to be payable as directed by City Council pursuant to Section 326 of the Municipal Act.
- (d)(v) The Owner acknowledges that the City enters onto the lands solely as the agent of the Owner, and such entry shall not be deemed, for any purpose, to constitute acceptance or assumption of all or any portion of the work required by this Agreement.
- (d)(vi) The Owner shall at all times, indemnify and save harmless the City from and against any and all claims, demands, losses, costs, charges, expenses, actions and other proceedings (including those in connection with workplace safety and insurance compensation or any similar or successor arrangements) made, brought against, suffered by or imposed on the City or its property in respect of any failure by the Owner to fulfil any of its obligations under this Agreement in respect of its responsibility for any potential soil contamination or remediation of the lands. and

(d)(vii) The Owner agrees:

- (a) that it shall save harmless, defend and fully indemnify the City, and each of the persons under the City's jurisdiction, from and against all actions, suits, claims, and demands which may be brought against or made upon the City, and any persons under the City's jurisdiction, and from and against all loss, costs, charges, damages and expenses which may be sustained, incurred or paid by the City, and each of any persons under the City's jurisdiction, by reason of, or on account of, or in consequence of this clause;
- (b) it will pay to the City and to each of any persons under the City's jurisdiction, on demand, any loss, costs, or damages which may be sustained, incurred or paid by the City in consequence of any such action, suit, claim or demand; and
- (c) on default of such payment all such loss, costs or damages and all such monies so paid or payable may be recovered in any court of competent jurisdiction.

27(a). Mr. Siew Bisnath
(April 24, 2002)

Expressing his concerns respecting the proposed development and requesting an opportunity to address the North York Community Council regarding this application.

27(b). Mr. Bob Hatcher & Mr. Doug Hatcher
(April 24, 2002)

Expressing their opposition to the proposed development, as well as that of Mr. Peter Montini's.

27(c). Dr. Sing Man Wu and Mrs. Ping Wu
(April 23, 2002)

Expressing their opposition to the proposed development.