
**MIDTOWN COMMUNITY COUNCIL
AGENDA
MEETING NO. 7**

Date of Meeting:	September 9, 2003	Enquiry:	Yvonne Davies
Time:	9:30 a.m.		Administrator
Location:	Council Chambers		416-395-7345
	North York Civic Centre		mcc@toronto.ca

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

CONFIRMATION OF MINUTES OF MEETING HELD ON July 8, 2003.

An electronic version will be distributed to the Members.

DEPUTATIONS: Deputation list will be available at the meeting.

COMMUNICATIONS/REPORTS

**1. McNairn Avenue at Yonge Street – Implementation of Turn Prohibitions
(Eglinton-Lawrence – Ward 16)**

Deferred from the Midtown Community Council meeting of July 8, 2003

Communication (July 9, 2003) from the City Clerk advising that the Midtown Community Council, at its meeting on July 8, 2003, had before it Clause No. 13 of Report No. 5 of the Midtown Community Council headed ‘McNairn Avenue at Yonge Street – Implementation of Turn Prohibitions (Eglinton-Lawrence - Ward 16)’ which was struck out and referred back to the Midtown Community Council for further consideration, in order to conduct a poll of the area by City Council at its meeting on June 24, 25 and 26, 2003.

The Midtown Community Council referred the foregoing Clause to Councillor Johnston for action as she deems appropriate and with a request that she report back thereon to the next meeting of the Midtown Community Council on September 9, 2003.

2. Preliminary Report – Application to Amend the Zoning By-law - City of Toronto as per Toronto Parking Authority (Turner Fleischer Architects Inc.) – 453 Spadina Road, No. 203005, TD CMB 2003 0009 (St. Paul’s, Ward 22)

Deferred from the Midtown Community Council meeting of July 8, 2003

Report (June 19, 2003) from the Director, Community Planning, South District, 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; and
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

2(a). Report (August 22, 2003) from the Director, Community Planning, South District and City Solicitor, reporting as requested with respect to issues raised regarding the Agreement of Purchase and Sale with First Spadina Place Inc. for portions of the property known municipally as 453 Spadina Road; and recommending that this report be received for information.

2(b). Communication (August 14, 2003) from Ronald M. Lieberman.

3. Renaming of Davisville Park, Ward 22, to “June Rowlands Park” (St. Paul’s – Ward 22)

Motion (August 25, 2003) from Councillor Michael Walker recommending that the Commissioner of Economic Development, Culture and Tourism be directed to submit a report to the upcoming City Council meeting on September 22, 23 and 24, 2003 on the renaming of Davisville Park to “June Rowlands Park”.

4. Request for Resident Poll to Determine Support for Speed Humps on Shelburne Avenue between Bathurst Street and Glen Rush Boulevard (Eglinton-Lawrence – Ward 16)

Motion (undated) from Councillor Johnston advising that the residents on Shelburne Avenue between Bathurst Street and Glen Rush Boulevard, have expressed concern regarding the speed of traffic on the roadway; and requesting that staff conduct a

poll of eligible residents to determine support for the implementation of speed humps on Shelborne Avenue between Bathurst Street and Glen Rush Boulevard.

5. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 39 Elwood Boulevard (Eglinton – Lawrence – Ward 16)

Report (August 18, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 39 Elwood Boulevard, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application to permit driveway widening for two vehicles at 39 Elwood Boulevard

6. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 68 Chudleigh Avenue (Eglinton – Lawrence – Ward 16)

Report (August 19, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 68 Chudleigh Avenue, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening at 68 Chudleigh Avenue.

7. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit the Existing Paving to Remain in Connection with Driveway Widening at 91 Lawrence Avenue West (Eglinton – Lawrence – Ward 16)

Report (August 21, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with driveway widening at 91 Lawrence Avenue West, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the request to maintain the existing asphalt paving in connection with driveway widening at 91 Lawrence Avenue West.

8. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 350 Manor Road East (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 350 Manor Road East, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the request to permit driveway widening at 350 Manor Road East.

9. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 37 Banff Road (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 37 Banff Road, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application to permit driveway widening for two vehicles at 37 Banff Road.

10. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 321 Warren Road (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1 reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 321 Warren Road, which does not meet the requirements of the Code; that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening for two vehicles at 321 Warren Road.

11. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening at 33 Thelma Avenue (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code

Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 33 Thelma Avenue, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for angled driveway widening at 33 Thelma Avenue.

12. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 39 Thelma Avenue (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 39 Thelma Avenue, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening at 39 Thelma Avenue.

13. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening at 40A Thelma Avenue (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 40A Thelma Avenue, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening at 40A Thelma Avenue.

14. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening at 42 Thelma Avenue (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 42 Thelma Avenue, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening at 42 Thelma Avenue.

15. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 44 Thelma Avenue (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 44 Thelma Avenue, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening at 44 Thelma Avenue.

16. Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit the Existing Paving to Remain in Connection with Front Yard Parking at 595 Eglinton Avenue East (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with front yard parking at 595 Eglinton Avenue East, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the request to maintain the existing concrete paving in connection with the application for front yard parking at 595 Eglinton Avenue East.

17. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit the Existing Paving to Remain in Connection with Driveway Widening at 21 Banff Road (St. Paul's – Ward 22)

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with driveway widening at 21 Banff Road, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the request to maintain the existing asphalt paving in connection with driveway widening at 21 Banff Road.

**18. Request for an Exemption from Chapter 248, of the Former City of Toronto Municipal Code to Permit the Existing Paving to Remain in Connection with Driveway Widening at 18 Cuthbert Crescent
(St. Paul's – Ward 22)**

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with driveway widening at 18 Cuthbert Crescent, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the request to maintain the existing concrete paving in connection with driveway widening at 18 Cuthbert Crescent.

**19. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 1176 Mt. Pleasant Road
(Don Valley West – Ward 25)**

Report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 1176 Mt. Pleasant Road, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening at 1176 Mt. Pleasant Road.

**20. Request for an Exemption from Chapter 313 of the Former City of Toronto Municipal Code to Permit Residential Boulevard Parking at 1501 Mt. Pleasant Road
(Don Valley West – Ward 25)**

Report (August 13, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, to permit residential boulevard parking at 1501 Mt. Pleasant Road, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for residential boulevard parking at 1501 Mt. Pleasant Road.

**21. 295 Brooke Avenue - Request to Remove One City Owned Tree
(Eglinton-Lawrence – Ward 16)**

Report (August 22, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting on a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, for permission to remove one City owned tree situated on the City road allowance adjacent to the above noted property; and recommending that:

- (1) Midtown Community Council deny the request for the removal of the one City owned tree at 295 Brooke Avenue; or
- (2) Midtown Community Council approve the request for the removal of one City owned tree located at 295 Brooke Avenue conditional on:
 - (i) the applicant paying for the value of the Little-leaf Linden tree and for all associated removal and replacement costs, that is \$3,665.00; and
 - (ii) the subject tree not being removed until permitted construction and/or demolition related activities in accordance with plans commence and warrant the destruction of the tree;
 - (iii) the applicant planting one 70-mm replacement tree to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
 - (iv) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$588.00 to cover the costs of removal, maintenance and replacement of the 70-mm tree planted on City property.

**22. 200 Balliol Street – Removal of Eight Privately Owned Trees
(St. Paul's - Ward 22)**

Report (August 8, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting that a request has been filed in connection with Official Plan Amendment, Rezoning and Site Plan Approval Application No. 203008 for a permit to remove eight trees located on private property; and recommending that:

- (1) the request for a permit for tree removal at 200 Balliol Street be denied; or
- (2) the request for a permit for tree removal at 200 Balliol Street be approved subject to:
 - (a) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under

Official Plan Amendment, Rezoning and Site Plan Approval Application No. 203008 commence which warrant the destruction of the trees; and

- (b) the applicant agreeing to plant replacement trees acceptable to the Commissioner of Economic Development, Culture and Tourism.

**23. 114 Dinnick Crescent – Removal of One Privately Owned Tree and Injury to One Privately Owned Tree
(Don Valley West – Ward 25)**

Report (August 18, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting that an application for a permit to remove one 56 cm diameter Norway maple tree and to injure one 96 cm diameter Norway maple tree, on private property has been filed by the agent for the owners of 114 Dinnick Crescent, Toronto, Ontario, M4N 1L8; and recommending that:

- (1) Midtown Community Council deny the request for the removal of one privately owned tree and injury to one privately owned tree at 114 Dinnick Crescent; or
- (2) Midtown Community Council approve the request for the removal of one privately owned tree and injury to one privately owned tree at 114 Dinnick Crescent; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**24. 5 Donino Avenue - Request to Remove Two City Owned Trees
(Don Valley West – Ward 25)**

Report (August 18, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting that a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, for permission to remove two City owned trees situated on the City road allowance adjacent to the above noted property; and recommending that:

- (1) Midtown Community Council deny the request for the removal of one City owned tree located at 5 Donino Avenue; or
- (2) Midtown Community Council approve the request for the removal of one City owned tree located at 5 Donino Avenue conditional on:
 - (i) the applicant paying the value of the one Colorado Blue Spruce tree and for all associated removal and replacement costs, that is \$1,751.00;

- (ii) the subject tree not being removed until permitted excavation related activities in accordance with approved plans commence and warrant the destruction of the trees;
- (iii) the applicant planting one 70 mm replacement tree, species and location to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
- (iv) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$588.00 to cover the costs of planting and maintenance of the 70 mm tree.

**25. 24 Cannonbury Court - Request to Remove Two City Owned Trees
(Don Valley East – Ward 34)**

Report (August 22, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting on a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, for permission to remove two City owned trees situated on the City road allowance adjacent to the above noted property; and recommending that:

- (1) Midtown Community Council deny the request for the removal of the two City owned trees at 24 Cannonbury Court; or
- (2) Midtown Community Council approve the request for the removal of two City owned trees located at 24 Cannonbury Court conditional on:
 - (i) the applicant paying for the value of the two Siberian Elm trees and for all associated removal and replacement costs, that is \$13,040.00; and
 - (ii) the applicant planting two large-growing 70 mm replacement trees at the subject site to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
 - (iii) the applicant furnishing a two-year renewable guarantee for the proposed tree plantings, in the form of a letter of credit/certified cheque for \$1,176.00, to cover the costs of planting and maintenance of the 70 mm trees on City property.

26. 550 Rushton Road, former City of York Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences (St. Paul's – Ward 21)

Report (August 21, 2003) from the Manager, West District, Municipal Licensing and Standards, reporting on an application submitted by the owner for an exemption to the Toronto Municipal Code, Chapter 447, Fences, to permit an existing fence to remain on the property; and recommending that the application be refused as the height of the fence is not in compliance with the regulation set out in Toronto Municipal Code, Chapter 447, Fences.

27. Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit a non-illuminated projecting sign for identification purposes, on the west elevation of the building at 443 Mount Pleasant Road, 903033, 03-141598 ZSV (St. Paul's – Ward 22)

Report (August 20, 2003) from the Director, Community Planning, South District, reviewing and making recommendations on a request by Robbie Frame with Montgomery Sisam Architects Inc. on behalf of Greenwood College School for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit a non-illuminated projecting sign for identification purposes, on the west elevation of the building at the above noted location; and recommending that:

- (1) the request for a variance be approved to permit a non-illuminated projecting sign for identification purposes, on the west elevation of the building at 443 Mount Pleasant Road; and
- (2) the applicant be advised that upon approval of a variance, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

28. Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, to maintain an illuminated awning sign for identification purposes at 1521 Yonge Street 903014, 03-115798 (St. Paul's – Ward 22)

Report (July 14, 2003) from the Director, Community Planning, South District, reviewing and making recommendations on a request by David Brown on behalf of Pizza Pizza Ltd. for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, to maintain an illuminated awning sign for identification purposes on the front elevation of the building at the above noted location; and recommending that:

- (1) the request for variances to maintain an illuminated awning sign for identification purposes at 1521 Yonge Street be approved; and
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

**29. Request for approval of a variance from the former City of North York Sign By-Law No. 30788, as amended for the erection of a 348 Square feet (32.3m²) first party ground sign at 1155 Leslie Street
(Don Valley West – Ward 25)**

Report (August 26, 2003) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Dominic Rotundo of the Pattison Sign Group for the approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a first party ground sign at the above noted location; referring to the attachments for details; and recommending that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

**30. Request for approval of a variance from the former City of North York Sign By-Law No. 30788, as amended, for the erection of an off-premise ground sign on the CN Rail lands on the West of Leslie Street, South of Highway 401
(Don Valley West – Ward 25)**

Report (August 26, 2003) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Tony Romanelli of RCC Media for the approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a 250 ft² (23.2m²) single-faced illuminated off-premise ground sign at the above noted location; referring to the attachments for details; and recommending that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

31. Request for approval of a variance from the former City of North York Sign By-Law No. 30788, as amended for the erection of a 1200 square feet (111 m2) illuminated first party wall sign at 1275 Lawrence Avenue East (Don Valley East – Ward 34)

Report (August 25, 2003) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Mike McKague of AbconMedia on behalf of Natrel Inc. for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a first party illuminated wall sign at the above noted location; referring to the attachments for details; and recommending that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

32. Application for an Outdoor Café at 953 Eglinton Avenue West (St. Paul's – Ward 21)

Report (August 19, 2003) from the District Manager, West District, Municipal Licensing and Standards, reporting on an application from Alejandra Hernandez on behalf of Mariachi's Restaurant, to lease 23.7 square metres of the municipal boulevard for the purpose of an Outdoor Boulevard Café at 953 Eglinton Avenue West; and recommending that this application to lease 23.7 square metres of the municipal boulevard, located at the front and side of 953 Eglinton Avenue West be approved, subject to the applicant fulfilling the following conditions upon approval:

- (1) enter into an encroachment agreement with the City of Toronto;
- (2) pay the annual fee to the City of Toronto for use of the road allowance in the amount of \$25.00 plus \$5.50 per square metre. All fees are subject to change;
- (3) provide a certificate of insurance evidencing a third party bodily injury and property damaged insurance in the amount of Two Million Dollars (\$2,000,000.00), or such other coverage and greater amount as the City of Toronto may require, naming the City of Toronto as an additional insured party under the policy;
- (4) obtain a construction/streets permit prior to commencement of any construction;
- (5) audio equipment not be installed and music not played outdoors; and

- (6) patio area to be closed between the hours of 11:00 p.m. one day to 7:00 a.m. the next day.

**33. Residential Demolition Application- 77 Dunfield Avenue
(St. Paul's - Ward 22)**

Report (August 18, 2003) from the Deputy Chief Building Official and Director, Building Division, South District, advising that in accordance with the Section 33 of the Planning Act and the former City of Toronto Municipal Code Chapter 146, Article II, Demolition Control, I refer the demolition application for 77 Dunfield Avenue to you to recommend to City Council whether to grant or refuse the application, including any conditions, if any, to be attached to the permit; and recommending that Midtown Community Council recommend to City Council either:

- (1) to refuse the application to demolish the subject residential building because there is no permit for a replacement building on the site; or
- (2) to approve the application to demolish the subject building with the following conditions:
 - a) a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
 - b) all debris and rubble be removed immediately after demolition;
 - c) the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, Paragraph B; and
 - d) any holes on the property are backfilled with clean fill.

**34. Encroachment Report – 37 Brookfield Road, North York
(Don Valley West - Ward 25)**

Report (June 24, 2003) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, reporting on a request by Mr. Giorgio Delli Colli Gianniotti, applicant and owner of 37 Brookfield Road, for an existing wooden fence 226 feet in length and 6 feet in height (68.8m x 1.8m) running parallel along Brookfield Road, and an underground sprinkler system, all on City property; and recommending that the encroachment be approved, subject to the following conditions:

- (1) the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;

- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) no claims will be made against the City by the owner(s) for damage occurring to the fence;
- (4) the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (5) the indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Urban Development Services;
- (7) the owner(s) will, at their expense and to the satisfaction of the Commissioner of Urban Development Services, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement; and
- (8) the owners pay the following fees:
 - (i) application fees of \$423.07; and
 - (ii) legal administration cost and registration of \$391.70 (includes GST).

**35. Encroachment Agreement – 12 Sunnydene Crescent, North York
(Don Valley West - Ward 25)**

Report (July 30, 2003) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, reporting on an encroachment request by the applicant and agent of the new owner of 12 Sunnydene Crescent, to maintain an existing hedge that is approximately 2 feet 6 inches (.79 metres) high and 50 feet (15.24 metres) in length, three (3) existing light standards at the end of the driveway and an existing retaining wall running parallel on both sides of the edging of the driveway for a length of 18 ft (5.4 metres) and 6.4 feet (1.93 metres), respectively; all the foregoing existing encroachments are located along the east side of City property; and recommending that the encroachment be approved, subject to the following conditions:

- (1) the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) no claims will be made against the City by the owner(s) for damage occurring to the retaining wall, hedges and light standards during snow removal;
- (4) the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension, if requested by the applicant;
- (5) the indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Urban Development Services;
- (7) the owner(s) will, at their expense and to the satisfaction of the Commissioner of Urban Development Services, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
- (8) the owner will provide approval clearances from all utilities; and
- (9) the owners pay the following fees:
 - (i) application fees of \$423.07; and
 - (ii) legal administration cost and registration of \$391.70 (includes GST).

36. Sale of Surplus Vacant Land Located on the North side of Melrose Avenue between Nos. 518 and 522 Melrose Avenue (Eglinton–Lawrence – Ward 16)

Report (August 19, 2003) from the Commissioner of Corporate Services, authorizing the sale of a parcel of vacant land located on the north side of Melrose Avenue; and

recommending that:

- (1) the Offer to Purchase from Sedona Homes Ltd. to purchase the City-owned parcel of vacant land located on the north side of Melrose Avenue, being part of Lot 116, Plan 2370, designated as Part 1 on Reference Plan 64R-5943, in the amount of \$340,000.00 be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**37. Sale of Surplus Property Four Commercial Condominium Units at 255 Duncan Mill Road
(Don Valley East – Ward 34)**

Report (August 14, 2003) from the Commissioner of Corporate Services, authorizing the sale of four (4) commercial condominium units located at 255 Duncan Mill Road together with their respective parking spaces and appurtenant common interests; and recommending that:

- (1) the Offer to Purchase from Mbarka Inc. to purchase four (4) City-owned commercial condominium units municipally located at 255 Duncan Mill Road and identified as Units 701, 710, 711 and 712 in the amount of \$250,000.00 be accepted on the terms outlined in the body of this report and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**38. Temporary Installation of Banners - Fronting 2195 Yonge Street – ‘Minto Midtown Development’
(St. Paul’s – Ward 22)**

Report (August 22, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for the temporary installation of 20 banners containing first-party advertising for the Yonge Eglinton Development Project at 2195 Yonge Street; as there are no provisions within the former Metro By-law Nos. 118 and 211-74, as amended, for this type of installation, we are required to report on this matter; and recommending that:

- (1) City Council endorse the installation of 20 banners containing first party advertising that will encroach within the public right of way fronting 2195 Yonge Street, subject to the owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
 - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Chief Financial Officer & Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer & Treasurer may require;
 - (b) maintain the banners at his own expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
 - (c) remove the banners upon receiving 30 days written notice to do so; and
 - (d) accept such additional conditions as the City solicitor and the Commissioner of Works and Emergency Services may deem necessary in the interest of the Corporation;
- (2) City Council grant an exemption from the former Metro By-laws Nos. 118 and 211-74, as amended, to permit banners containing first party advertising on the aforementioned lands; and
- (3) the appropriate City officials be authorized and directed to undertake the steps necessary to give effect to the foregoing.

39. 750 Davenport Road (Tollkeeper's Cottage) – Designation under Part IV of the Ontario Heritage Act (St. Paul's - Ward 21)

Report (July 29, 2003) from the Commissioner, Economic Development, Culture and Tourism, recommending that the property at 750 Davenport Road (Tollkeeper's Cottage) be designated under Part IV of the Ontario Heritage Act; and further recommending that:

- (1) City Council state its intention to designate the property at 750 Davenport Road (Tollkeeper's Cottage) under Part IV of the *Ontario Heritage Act*; and
- (2) appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

39(a). Report (August 19, 2003) from the City Clerk, recommending to the Midtown Community Council and City Council, the adoption of the report (July 29, 2003) from the Commissioner of Economic Development, Culture and Tourism.

40. Blythwood Road Heritage Conservation District Designation under Part V of the Ontario Heritage Act (Don Valley West - Ward 25)

Report (August 11, 2003) from the Commissioner, Economic Development, Culture and Tourism recommending that City Council designate the Blythwood Road area as a Heritage Conservation District under Part V of the Ontario Heritage Act; and further recommending that:

- (1) in accordance with Section 41 of the *Ontario Heritage Act*, Council designate the area shown on Attachment No. 1, save and except those properties which have been designated under Part IV of the *Act*, as the Blythwood Road Heritage Conservation District;
- (2) Council adopt Attachment No. 2, the Blythwood Road Heritage Conservation District Study, as a guide for property owners, City staff, advisory committees and Council when making decisions regarding matters set out under Sections 42 and 43 of the *Ontario Heritage Act*; and
- (3) the appropriate City officials be authorized to take whatever action is necessary to give effect thereto including the introduction of bills in Council and attendance at the Ontario Municipal Board.

40(a). Report (August 19, 2003) from the City Clerk, recommending to the Midtown Community Council and City Council, the adoption of the report (August 11, 2003) from the Commissioner of Economic Development, Culture and Tourism subject to deleting

the words “Blythwood Road Heritage Conservation District” and inserting in lieu thereof the words “Blythwood Heritage Conservation District” wherever they appear in the report.

41. 5 Avonwick Gate (Senator Frank O’Connor House, Garage and Outbuilding) – Designation under Part IV of the *Ontario Heritage Act* and Authority to enter into a Heritage Easement Agreement (Don Valley East - Ward 34)

Report (July 31, 2003) from the Commissioner, Economic Development, Culture and Tourism, recommending that the property at 5 Avonwick Gate (Senator Frank O’Connor House, Garage and Outbuilding) be designated under Part IV of the Ontario Heritage Act, and that Council grant authority to enter into a Heritage Easement Agreement to provide for the permanent protection of the heritage buildings on the site; and further recommending that:

- (1) City Council state its intention to designate the property at 5 Avonwick Gate (Senator Frank O’Connor House, Garage and Outbuilding) under Part IV of the *Ontario Heritage Act*;
- (2) authority be granted by City Council for the execution of a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the owner of 5 Avonwick Gate, using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

41(a). Report (August 19, 2003) from the City Clerk, recommending to the Midtown Community Council and City Council, the adoption of the report (July 31, 2003) from the Commissioner of Economic Development, Culture and Tourism.

42. Briar Hill Avenue, between Avenue Road and Birdsall Avenue – Request for the Installation of Speed Humps (Eglinton – Lawrence – Ward 16)

Report (July 25, 2003) from Director, Transportation Services, District 1, responding to a request from Councillor Anne Johnston to report on the feasibility of installing speed humps on Briar Hill Avenue, between Avenue Road and Birdsall Avenue, to reduce the speed of traffic and enhance the operational safety on the roadway; and recommending that:

- (1) (a) appropriate staff be authorized to conduct a poll of eligible residents of Briar Hill Avenue, between Avenue Road and Birdsall Avenue to determine resident support for the proposed speed hump plan, in accordance with the City of Toronto traffic calming policy; and
 - (b) public notice be given pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Medical Services and Toronto Police Service;
- (2) subject to favourable results of the poll:
 - (a) a by-law be prepared for the alteration of sections of the roadway on Briar Hill Avenue, between Avenue Road and Birdsall Avenue, for traffic calming purposes generally as shown on the attached print of Drawing No. 421F-7045, dated July 2003, which is to be circulated to residents through the polling process;
 - (b) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
 - (c) the speed limit be reduced from forty kilometres per hour to thirty kilometres per hour on Briar Hill Avenue, between Avenue Road and Birdsall Avenue, coincident with the implementation of speed humps; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

**43. Alcina Avenue, between Bathurst Street and Wychwood Avenue – Request for Speed Humps
(St. Paul’s – Ward 21)**

Report (August 21, 2003) from the Director, Transportation Services, District 1, reporting on the results of an investigation to install traffic calming (speed humps) on Alcina Avenue, between Bathurst Street and Wychwood Avenue; and recommending that this report be received for information.

**44. Arlington Avenue, between St. Clair Avenue West and Humewood Gardens – Request for Speed Humps
(St. Paul’s – Ward 21)**

Report (August 21, 2003) from the Director, Transportation Services, District 1, reporting on the results of an investigation to install traffic calming (speed humps) on

Arlington Avenue, between St. Clair Avenue West and Humewood Gardens; and recommending that this report be received for information.

45. Proposed Installation of Speed Bumps in North-South Public Lane North of St. Clair Avenue West, between Raglan Avenue and Bathurst Street (St. Paul's – Ward 21)

Report (August 27, 2003) from the Director, Transportation Services, District 1, reporting on the proposed installation of speed bumps in a public lane; and recommending that:

- (1) the installation of speed bumps in the north-south public lane north of St. Clair Avenue West, between Raglan Avenue and Bathurst Street, of the type and design noted and at the locations shown on Drawing Nos. 421F-7046 and 421F-7047 dated July 2003, be approved and
- (2) the appropriate City Officials be authorized to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

46. Request for Speed Humps on Bessborough Drive, between Moore Avenue and Sutherland Drive (Don Valley West – Ward 26)

Report (August 13, 2003) from the Director, Transportation Services, District 1, responding to a request from Councillor Jane Pitfield for the installation of speed humps on Bessborough Drive, between Moore Avenue and Sutherland Drive; and recommending that this report be received for information.

47. Gilgorm Road, east side, between Premises Nos. 5 and 19 – Implementation of a “No Parking” regulation (Eglinton-Lawrence – Ward 16)

Report (August 19, 2003) from the Director, Transportation Services, District 1, reporting on a request from Councillor Anne Johnston to address residents' concerns regarding vehicles illegally parking and blocking residents' driveways, by clearly identifying a prohibited parking area; and recommending that:

- (1) the existing one-hour maximum parking regulation in effect from 8:00 a.m. to 7:00 p.m., Monday to Friday, on the east side of Gilgorm Road, between Eglinton Avenue West and New Haven Drive, be adjusted to operate from Eglinton Avenue West to a point 60 metres further north and from a point 119 metres north of Eglinton Avenue West to New Haven Drive;

- (2) parking be prohibited at anytime, on the east side of Gilgorm Road, from a point 60 metres north of Eglinton Avenue West to a point 59 metres further north; and
- (3) the appropriate City Officials be authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that are required.

48. Roselawn Avenue, south side, between Yonge Street and Duplex Avenue – Implementation of a “No Standing Anytime” prohibition (Eglinton - Lawrence – Ward 16)

Report (July 23, 2003) from the Director, Transportation Services, District 1, with respect to enhancing operational safety on Roselawn Avenue and to improve conditions for trucks servicing businesses fronting Yonge Street by creating a "No Standing at Anytime" zone; and recommending that:

- (1) the existing parking regulations in effect on the south side of Roselawn Avenue, from a point 45 metres west of Yonge Street to a point 23 metres further west, be rescinded;
- (2) standing be prohibited at anytime, on the south side of Roselawn Avenue, from a point 45 metres west of Yonge Street to a point 23 metres further west thereof; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that are required.

49. Proposed closing to vehicular traffic, except for emergency vehicles, a portion of the public lane extending south-easterly from Walmer Road, at the rear of Premises No. 330 Spadina Road (St. Paul’s – Ward 21)

Report (August 22, 2003) from the Director, Transportation Services, District 1, recommending the proposed closing of a portion of the public lane extending south-easterly from Walmer Road to vehicular traffic, except for emergency vehicles, in order to comply with OMB Decision/Order Nos. 1945 and 1221; and further recommending that:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and upon compliance by 1160963 Ontario Inc. (the “Applicant”) with the terms and conditions outlined in this report, the 0.55 metre wide strip of land within the public lane, shown as PART 1 on the attached Sketch No. PS-2003-015, (the “Lane”), be stopped-up and closed to vehicular traffic, except for emergency

vehicles, and a gate be installed to enforce the due observance thereof;

- (2) notice be given to the public of the proposed by-law to stop up and close the Lane, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and, in addition, by publishing one notice in a local community newspaper;
- (3) the Midtown Community Council hear any member of the public who wishes to speak to this matter;
- (4) the Encroachment Agreement fee of \$423.07 for the swing of the gates be waived; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any bills necessary to give effect thereto.

50. Pinewood Avenue, between Maplewood Avenue and Vaughan Road – Transfer of the winter parking prohibition from the east side of the street to the west side (St. Paul’s – Ward 21)

Report (August 21, 2003) from the Director, Transportation Services, District 1, amending the existing parking regulations in order to transfer the winter parking prohibition from the east side to the west side of Pinewood Avenue, between Maplewood Avenue and Vaughan Road, during the winter months (December 1 to April 1) in order to maximize the number of available on-street parking spaces; and recommending that:

- (1) the City Clerk undertake a poll of the residents on Pinewood Avenue, between Maplewood Avenue and Vaughan Road, to determine the support for transferring the winter parking prohibition from the east side of the street to the west side (No parking from 7:00 p.m. December 1st to 7:00 p.m. April 1st of the next following year);
- (2) subject to favourable results of the poll:
 - (a) Uniform Traffic By-law Nos. 196-84, and 2958-94, be amended to transfer the existing “No parking from 7:00 p.m. December 1st to 7:00 p.m. April 1st of the next following year” from the east side of Pinewood Avenue, to the west side, between Maplewood Avenue and Vaughan Road;
 - (b) Permit Parking By-law No. 3491-80 be amended to allow parking on the east side of Pinewood Avenue, between Maplewood Avenue and Vaughan Road, from 12:00 midnight to 6:00 a.m., from the 2nd day of

December to the 1st day of April of the next following year; and

- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

**51. No. 111 Manor Road East – Request for a 10-minute Pick-up/Drop-off Zone
(St. Paul’s – Ward 22)**

Report (August 25, 2003) from the Director Transportation Services, District 1, responding to a request to provide short-term parking opportunities for parents/guardians of children attending the Manor Road Cooperative Nursery School, located within the Anglican Church of Transfiguration, at No. 111 Manor Road East; and recommending that:

- (1) the permit parking system in operation from 12:01 a.m. to 10:00 a.m., daily, on the south side of Manor Road East, between the east branch of ServingtonCrescent and a point 47 metres west thereof, be rescinded;
- (2) parking be permitted for a maximum period of ten minutes on the south side of Manor Road East, from a point 9 metres west of the east branch of ServingtonCrescent to a point 38 metres further west thereof, from 8:00 a.m. to 9:00 a.m., Monday to Friday; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

**52. Poplar Plains Road, west side, immediately north and south of Russell Hill Road –
Proposed creation of on-street parking spaces
(St. Paul’s – Ward 22)**

Report (August 25, 2003) from the Director Transportation Services, District 1, providing on-street parking spaces on Poplar Plains Road, in the vicinity of Russell Hill Road; and recommending that:

- (1) the existing “No Parking Anytime” regulation, in effect on the west side of Poplar Plains Road, from MacPherson Avenue to a point 30 metres north of Russell Hill Road, be adjusted to operate from MacPherson Avenue to a point 43 metres south of Russell Hill Road; and
- (2) appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any bills that are required.

**53. Dunloe Road, from Hawarden Crescent to Archer Road – Proposed amendments to traffic regulations
(St. Paul’s – Ward 22)**

Report (August 26, 2003) from the Director, Transportation Services, District 1, with regard to reducing the entry restriction times to Dunloe Road from Hawarden Crescent, and to allow three-hour parking on the east side of Dunloe Road, from Hawarden Crescent to Archer Road, from July 1 to August 31; and recommending that:

- (1) the existing northbound, eastbound and westbound entry prohibitions on Dunloe Road at Hawarden Crescent, in effect from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 6:00 p.m., Monday to Friday, be rescinded;
- (2) eastbound left-turns from Hawarden Crescent to Dunloe Road be prohibited from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday;
- (3) westbound right-turns from Hawarden Crescent to Dunloe Road be prohibited from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday;
- (4) northbound through movements be prohibited from Dunloe Road, south of Hawarden Crescent, to Dunloe Road, north of Hawarden Crescent, from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday;
- (5) the “No Stopping” prohibition currently in effect on the east side of Dunloe Road, from Hawarden Crescent to a point 127.5 metres further north, in effect from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday, be adjusted to be in effect from September 1 to June 30 of the next following year;
- (6) the one-hour maximum parking regulation in effect on the east side of Dunloe Road, from Hawarden Crescent to a point 127.5 metres north, in effect from 9:15 a.m. to 11:30 a.m., and from 1:15 p.m. to 3:00 p.m., Monday to Friday, be adjusted to be in effect from September 1 to June 30 of the next following year;
- (7) the one-hour maximum parking regulation in effect on the east side of Dunloe Road, from a point 127.5 metres north of Hawarden Crescent to a point opposite Archer Road, in effect from 8:00 a.m. to 6:00 p.m., Monday to Friday, be adjusted to be in effect from September 1 to June 30 of the next following year; and
- (8) appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any bills that are implemented.

54. Bruce Park Avenue and Roehampton Avenue – Request for the installation of an All-way “Stop” sign control (St. Paul’s – Ward 22)

Report (August 12, 2003) from the Director, Transportation Services, District 1, responding to a request from Councillor Michael Walker to report on the feasibility of installing an All-way "Stop" sign control at the subject intersection; and recommending that:

- (1) “Stop” sign controls be installed for eastbound and westbound traffic on Roehampton Avenue at its intersection with Bruce Park Avenue; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

55. Belsize Drive, north side, from the first laneway west of Bayview Avenue to Gresham Road – Changes to Parking Regulations (St. Paul’s – Ward 22)

Report (August 19, 2003) from the Director, Transportation Services, District 1, with regard to reducing traffic congestion and improve operational safety on Belsize Drive, from the first laneway west of Bayview Avenue to Gresham Road; and recommending that:

- (1) the existing “No Parking Anytime” regulation, on the north side of Belsize Drive, operating from December 1 of one year to March 31 of the next following year, inclusive, from a point 43 metres west of Bayview Avenue to a point 13 metres further west, be rescinded;
- (2) the existing one-hour maximum parking limit on the north side of Belsize Drive operating anytime from April 1 of one year to November 30 of the next following year, inclusive, from a point 43 metres west of Bayview Avenue to a point 13 metres further west, be rescinded;
- (3) the existing “No Parking Anytime” regulation on the north side of Belsize Drive, from Gresham Road to a point 56 metres west of Bayview Avenue, be adjusted to be in effect from Gresham Road, to a point 43 metres west of Bayview Avenue; and
- (4) appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any bills that are required.

56. Coulson Avenue, between Premises Nos. 39 and 47 – Implementation of a “No Parking” regulation (St. Paul’s – Ward 22)

Report (July 23, 2003) from the Director, Transportation Services, District 1, reporting on a request from Councillor Michael Walker to address residents' concerns regarding vehicles illegally parking and blocking residents' driveways, by clearly identifying a prohibited parking area; and recommending that:

- (1) the existing one hour maximum parking regulation in effect from 8:00 a.m. to 6:00 p.m., daily, on the south side of Coulson Avenue, from Spadina Road to Russell Hill Road, be adjusted to operate from Spadina Road to a point 34.5 metres further east and from a point 63.0 metres east of Spadina Road to Russell Hill Road;
- (2) parking be prohibited at anytime, on the south side of Coulson Avenue, from a point 34.5 metres east of Spadina Road to a point 28.5 metres further east; and
- (3) the appropriate City Officials be authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that are required.

57. Introduction of Permit Parking on the South Side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue (St. Paul’s – Ward 22)

Report (August 21, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on the introduction of permit parking on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 8:00 a.m., 7 days a week; and recommending that:

- (1) permit parking be introduced on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 8:00 a.m., Monday to Friday;
- (2) the newly created Part AK of Schedule XXVI (Permit Parking), of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be introduced to incorporate the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, to operate between 12:01 a.m. to 8:00 a.m., Monday to Friday;
- (3) parking be allowed for a maximum period of 1 hour on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, from 6:00 p.m. to midnight, daily; and

- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

**58. Stopping/Standing Prohibitions: Old York Mills Road
(Don Valley West – Ward 25)**

Report (August 20, 2003) from the Director, Transportation Services, District 3, amending the existing parking regulations on Old York Mills Road; 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 both sides of Old York Mills Road, from the easterly limit of Yonge Street to the southerly limit of York Mills Road;
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the north side of Old York Mills Road, from the southerly limit of York Mills Road to the easterly limit of Yonge Street;
- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the south side of Old York Mills Road, from the southerly limit of York Mills Road to a point 136 metres westerly thereof; and
- (4) Schedule XI of By-law No. 31001, of the former City of North York, be amended to prohibit standing at anytime on the south side of Old York Mills Road, adjacent to the curb from the easterly limit of Yonge Street to a point 95 metres easterly thereof.

**59. Parking Prohibitions: Seneca Street
(Don Valley West – Ward 25)**

Report (July 15, 2003) from the Director, Transportation Services, District 3, amending the existing parking regulations on Seneca Street, from Gordon Road to Owen Boulevard; and recommending that Schedule X of By-law No. 31001, of the former City of North York, be amended by deleting the 60 Minute Permitted Parking restriction on the east side of Seneca Street, from the northerly limit of Gordon Road to the southerly limit of Owen Boulevard.

**60. Introduction of Permit Parking on the North Side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue
(Don Valley West – Ward 25)**

Report (August 26, 2003) from the Manager, Right of Way Management, Transportation Services District 1, reporting on the introduction of permit parking on the north side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 10:00 a.m., 7 days a week; and recommending that:

- (1) permit parking be introduced on the north side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 10:00 a.m., 7 days a week;
- (2) Part P of Schedule XXVI (Permit Parking), of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be introduced to incorporate the north side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue;
- (3) the one hour parking prohibition on the north side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue, be amended from the current hours of 8:00 a.m. to 6:00 p.m., daily, to 10:00 a.m. to 6:00 p.m., daily; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

**61. Grandstand Place in front of Premises No. 2 Grandstand Place - Amendments to Parking Regulations
(Don Valley West – Ward 26)**

Report (August 13, 2003) from the Director, Transportation Services, District 1, recommending the implementation of parking regulations to facilitate loading and unloading activities in front of Premises No. 2 Grandstand Place; and further recommending that:

- (1) a “No Standing” parking regulation be enacted on the north side of Grandstand Place, between a point 62 metres east of Thorncliffe Park Drive and a point 11 metres east thereof; and
- (2) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

62. Thursfield Crescent, between Brentcliffe Road and a point 175 metres east thereof - Amendments to Parking Regulations (Don Valley West – Ward 26)

Report (August 13, 2003) from the Director, Transportation Services, District 1, recommending parking regulation amendments to rescind the regulation which prohibits parking from 9:00 a.m. to 1:00 p.m., Monday to Friday, excluding public holidays on both sides of Thursfield Crescent, between Brentcliffe Road and a point 175 metres east thereof, in order to allow three-hour parking, subject to the favourable results of polling of the affected residents; and further recommending that:

- (1) the existing “No Parking, 9:00 a.m. to 1:00 p.m., Monday to Friday, excluding public holidays” parking regulation on both sides of Thursfield Crescent, between Brentcliffe Road and a point 175 metres east thereof, be rescinded, subject to the favourable results of polling of the affected residents; and
- (2) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

63. Installation/removal of on-street parking spaces for persons with disabilities (Eglinton –Lawrence, Ward 16 and Don Valley West, Ward 26)

Report (August 25, 2003) from the Director, Transportation Services, District 1, reporting on requests for the installation/removal of a number of on-street disabled persons' parking spaces; and recommending that:

- (1) the installation/removal of on-street disabled parking spaces as noted in Table “A” of this report be approved; and
- (2) the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

64. Parking Prohibitions: Ness Drive (Don Valley East – Ward 34)

Report (August 21, 2003) from the Director, Transportation Services, District 3, amending the existing parking prohibitions on Ness Drive, adjacent to St. Madeline E.S.S./St. Isaac Jogues School; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the west side of Ness Drive, between the hours of 8:00 a.m. and 5:00 p.m., Monday to Friday, from the northerly limit of York Mills Road to the southerly limit of Lynedock Crescent.

65. Preliminary Report – Application to amend Zoning By-law – English Lanes Home Inc. 39 Green Belt Drive, TD ZBL 2003 004 (Don Valley West – Ward 25)

Report (July 28, 2003) from the Acting Director, Community Planning, North District, providing preliminary information on the above-noted application 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 120 metres of the site; and
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

66. Final Report – Application for Part Lot Control Exemption, Georgian Bond Avenue Inc. (Hunt Design Associates Inc.), Preakness Drive (formerly 20 Bond Avenue) Blocks 1-10 Inclusive, Plan 66M-2404 TD PLC 2003 0001 (Don Valley West – Ward 25)

Report (August 18, 2003) from the Acting Director, Community Planning, North District, requesting exemption from part lot control in order that 20 semi-detached dwelling units may be conveyed into separate ownership; and recommending that:

- (1) the application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to Recommendation No. (1);
- (3) staff obtain proof of payment of all current property taxes for the subject site from the owner prior to the enactment of the Part Lot Control Exemption By-law;
- (4) the by-law shall expire 18 months from the date of enactment; and
- (5) the appropriate City Officials be authorized and directed to register the By-law on title.

67. Request to Amend Subdivision Agreement - 9 Legacy Court, Lot 7, RP 66M-2331 UD 10 AME 9UDOZ-94-33 and UDSB-1221) (Don Valley West – Ward 25)

Deferred from the Midtown Community Council meeting of June 10, 2003 meeting

Report (May 23, 2003) from the Acting Director, Community Planning, North District, advising of a request for minor variances and consent and a request to amend the existing Subdivision Agreement as they relate to Lot 7 (9 Legacy Court); and recommending that:

- (1) Council advise the Midtown Committee of Adjustment that it has no objection to the requested variances and consent subject to the following conditions:
 - (i) the dwelling on Part 1 be developed within the building envelope submitted (Attachment 1);
 - (ii) building height on Part 1 be limited to 2 storeys;
 - (iii) no windows be permitted on the second floor of the new dwelling on Part 1 which would face lots fronting Carluke Crescent; and
 - (iv) the dwelling on Part 2 be constructed within its approved building envelope;
 - (2) should the Midtown Committee of Adjustment approve the requested variances and consent, Council authorize the City Solicitor to amend the subdivision agreement governing Lot 7, Registered Plan 66M-2331, former City of North York, to grant the request of GSI Real Estate and Planning Advisors Inc. to add an additional lot and building envelope on the lot;
 - (3) before any amendments to the subdivision agreement are executed, require the applicant to obtain final and binding approval from the Committee of Adjustment for the severance of the lot and any related minor variances for the lot and proposed dwelling which may result ; and
 - (4) authorize the City Solicitor and other affected City officials as appropriate to do all things necessary to execute and amend the subdivision agreement between the owner and the City to grant this request.
- 67(a).** Report (August 21, 2003) from the Acting Director, Community Planning, North District, reporting on a request to amend the existing Subdivision Agreement for Lot 7 (9 Legacy Court); and recommending that City Council receive this report as information.

- 68. Final Report - Request to Amend the Official Plan and Zoning By-law 438-86 – 912, 930 and 940 Mount Pleasant Road
Plazacorp Investments Ltd. (Quadrangle Architects Ltd.)
102032, TD CMB 2002 0012
(Don Valley West – Ward 25)**

Public Meeting under the Planning Act – 10:30 a.m. or as soon as possible thereafter.

Report (August 22, 2003) from the Director, Community Planning, South District reviewing and recommending approval of an application to amend the Official Plan and the Zoning By-law to permit the construction of a residential development comprised of 4storey stacked townhouses, a 6 to 7-storey apartment component fronting onto Mount Pleasant Road and a 19-storey apartment component at the rear of the site; all parts of the development are connected below grade by a c common parking garage; the site is located on the west side of Mount Pleasant Road north of Broadway Avenue; and recommending that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7 on the condition that the applicant submit a letter to the City Solicitor, prior to the introduction of bills in Council, undertaking to withdraw the applicant's appeal of the new Official Plan of the City of Toronto as it pertains to 912, 930 and 940 Mount Pleasant Road once the site specific Zoning By-law and Official Plan Amendment have come into force and effect;
- (2) amend Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (4) authorize the City Solicitor to prepare a Section 37 agreement to secure the off-site improvements identified in this report prior to introducing the necessary Bills to City Council;
- (5) require that prior to the introduction of Bills in Council the Section 37 Agreement be entered into by the owner and secured in a manner satisfactory to the City Solicitor;
- (6) require that the owner, in accordance with the terms of the Section 37 Agreement, pay \$300,000.00 to the City of Toronto in a form satisfactory to the Chief Financial Officer and Treasurer;
- (7) require the applicant to enter into a Statement of Approval/Undertaking under

Section 41 of the Planning Act before introducing the necessary Bills to City Council;

- (8) require that the owner submit to the Commissioner of Works and Emergency Services approved plans of the development, with sufficient horizontal and vertical dimensions of the exterior walls of the proposed building for the purpose of preparing building envelope plans for site specific exemption by-laws. Such plans should be submitted at least 3 weeks prior to the introduction of Bills in Council;
- (9) require the applicant submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the issuance of a building permit, a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;
- (10) require that the applicant submit prior to the introduction of Bills in Council, revised drawings showing fire access routes in accordance with the requirements of the Ontario Building Code;
- (11) require that the owner submit to the Commissioner of Works and Emergency Services, if registered agreements are required, a Reference Plan of Survey in metric units and reference to the Ontario Co-ordinate System, delineating thereon by separate PARTS the land under application and any appurtenant rights-of-way; and
- (12) require that the owner pay for any improvements to the municipal infrastructure in connection with Recommendation No. (9) above, should it be determined that upgrades are required to support this development, according to the site servicing review accepted by the Commissioner of Works and Emergency Services.

69. Final Report – Application to Amend the Official Plan and for Draft Plan of Condominium 22 Shallmar Inc. – 22 Shallmar Boulevard, 102033, TD OPA 2002 0002, and 402029, TC CDC 2002 002 (St. Paul’s – Ward 21)

Public Meeting under the Planning Act – 10:45 a.m. or as soon as possible thereafter.

Report (August 13, 2003) from the Director, Community Planning, South District, reviewing and recommending approval of an application to amend the Official Plan to permit the conversion of an equity co-operative apartment building at 22 Shallmar Boulevard to condominium, and recommends approval of a Draft Plan of Condominium for the property, subject to conditions; and recommending that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 3;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required;
- (3) authorize Draft Approval of the Plan of Condominium for 22 Shallmar Boulevard, stamp dated as received on October 28, 2002; and
- (4) require the owner to meet the following conditions of Draft Approval of the Plan of Condominium prior to the City's consent for final registration and authorize the City Solicitor to prepare any necessary condominium agreements for the conditions, as the City Solicitor deems necessary:
 - (a) the owner shall provide a tax certificate which confirms that all municipal taxes have been paid; and
 - (b) the owner shall register the condominium within 3 years after the date that Council approves this Draft Plan of Condominium, otherwise the approval shall lapse and be of no further force and effect.

**70. Final Report - Application to amend the North York Official Plan and Zoning By-law - Oriole York Mills United Church & Ewart Angus Homes Inc. (Montgomery Sisam Architects Inc.) 2609 Bayview Avenue
File No. TD CMB 2003 0002
(Don Valley West – Ward 25)**

Public Meeting under the Planning Act –11:00 a.m. or as soon as possible thereafter.

Report (August 19, 2003) from the Acting Director, Community Planning, North District reviewing and recommending approval of an application to amend the Official Plan and Zoning By-law to permit a 2 storey 24 dwelling room residential care facility for persons with Alzheimer disease; 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. 5;
- (2) amend Zoning By-law No. 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and

- (4) before introducing the necessary Bills to City Council for enactment, the owner is required to obtain Site Plan approval under Section 41 of the Planning Act.

**71. Final Report – Application to amend the Zoning By-law 7625, 73 Jonesville Crescent, George and Melina Tenacs (Axiis Architect Design Inc.), TB ZBL 2002 0007
(Don Valley East – Ward 34)**

Public Meeting under the Planning Act –11:15 a.m. or as soon as possible thereafter.

Report (August 21, 2003) from the Acting Director, Community Planning, North District, reviewing and recommending approval of an application to amend the Zoning By-law to permit a 3-storey townhouse building with eleven residential units at 73 Jonesville Crescent; and recommending that City Council:

- (1) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment as attached as Attachment No.5;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required; and
- (3) before introducing the necessary Bills to Council for enactment, require the applicant to:
 - (i) obtain site plan approval for this application from the Acting Director, Community Planning, North district;
 - (ii) convey to the City, a 6.1m corner rounding at Tisdale Avenue and Jonesville Crescent;
 - (iii) deposit financial security for the necessary infrastructure works and an engineering review fee as required by Works and Emergency Services, Technical Services Division; and
 - (iv) provide details of the common elements condominium agreement which address the responsibility of the maintenance and repair of those parts of the cantilevered terraces not directly associated with each unit (i.e. support pillars, underside of terrace).

72. Final Report (OMB Direction)

**Application to amend the Official Plan and Zoning By-law 7625 1200 – 1202 York Mills Road, Sterling Silver Development Corporation, Northgrave Architect Inc. Architect TD CMB 2001 0006
(Don Valley East – Ward 34)**

<i>Deputation Item – 11:30 a.m. or as soon as possible thereafter.</i>
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Report (August 21, 2003) from the Acting Director, Community Planning, North District, reviewing and recommending the approval of an application which has been appealed to the Ontario Municipal Board to amend the Official Plan and zoning by-law to permit tow 16 storey rental apartment buildings with 247 units at 1200 – 1202 York Mills Road; and recommending that City Council direct:

- (1) the City Solicitor to seek approval for the Official Plan Amendment for this site at the Ontario Municipal Board Hearing commencing on October 20, 2003 substantially in accordance with the draft Official Plan amendment attached to this report as Attachment No. 6;
- (2) the City Solicitor to seek approval for the Zoning By-law amendment for this site at the above noted Ontario Municipal Board Hearing substantially in accordance with the draft Zoning By-law Amendment attached to this report as Attachment No. 7;
- (3) the City Solicitor be authorized to make such stylistic and technical changes to the draft Official Plan Amendment and draft zoning by-law amendment as may be required;
- (4) Request the Board hold its Order until such time as the Owner and the City have entered into and registered on title to the property, an agreement satisfactory to the Commissioner of Urban Development Services and the City Solicitor pursuant to Section 37 of the Planning Act, to secure the following services and matters:
 - (a) to construct, provide and maintain on the lands one additional purpose built rental apartment house dwelling containing 247 units, for a minimum fifteen (15) year period, commencing from the date of first occupancy of the new building;
 - (b) to ensure that for a ten (10) year period, the two existing rental apartment house dwellings will be preserved and maintained as rental housing stock commencing from the date the Zoning By-law is in full force and effect;
 - (c) that no application for condominium conversion or for demolition to construct anything other than rental housing units will be made in respect of the additional purpose built rental apartment house dwelling and the two rental apartment house dwellings currently located on the site

contained in the time periods contained in (a) and (b) above;

- (d) that the initial rental rates upon first rental shall not exceed 1.5 times the CMHC average City of Toronto rents;
- (e) for the initial five (5) years, upon turnover, the rent charged to the new tenant shall not exceed 1.5 times the CMHC average City of Toronto rents;
- (f) during the initial five (5) year period, and until the date that any tenants who took occupancy prior to the end of the initial period move out, rent increases shall be limited to (1) the provincial guideline and (2) if applicable, an increase that exceeds the guideline due to necessary costs or an extraordinary increase in capital or operational costs subject to the process for calculating the increase and tenant participation set out in the Section 37 Agreement. These rules for increases shall not apply in the event that rents are otherwise controlled by the Provincial Government;
- (g) that 232 m² of indoor amenity space in a free standing structure comprised of an all purpose meeting room, kitchen and washroom facilities and an outdoor BBQ and 262m² of indoor amenity space in the proposed building comprised of an all purpose meeting room, kitchen and washroom facilities and both amenity spaces will be provided at no charge to tenants;
- (h) that the indoor amenity space in a free standing structure be constructed prior to the issuance of a building permit for the new apartment building;
- (i) that the costs of providing indoor amenity space and on-site landscaping not be passed on to the existing tenants of 1200 or 1202 York Mills Road;
- (j) that the tenants of the two existing rental apartment buildings will have access to the recreational facilities and amenities in the new rental apartment building;
- (k) the preparation and implementation of a Construction Mitigation and Communications Strategy prepared in consultation with the local Councillor and subject to the satisfaction the Acting Director of Community Planning North District, at the owner's own cost and expense prior to the issuance of any building permit related to the additional rental building; and
- (l) a cash payment of \$150,000 for parks improvements, over and above the cash-in-lieu contribution required under Section 42 of the *Planning Act* to be paid upon the execution of the Section 37 Agreement;

- (5) requesting that the Board hold its Order until such time as the Owner has entered into a Site Plan Agreement under Section 41 of the Planning Act; and
- (6) requesting that the Board hold its Order until such time as the Owner has fully complied with any outstanding Orders issued under the Building Code Act for 1200 or 1202 York Mills Road to the satisfaction of the Municipal Licensing and Standards Division.