
**NORTH YORK COMMUNITY COUNCIL
AGENDA
MEETING No. 3**

Date of Meeting:	April 2, 2003	Enquiry:	Francine Adamo
Time:	10:00 a.m.		Administrator
Location:	North York Civic Centre		416-395-7348
	Council Chambers		fadam@toronto.ca
	5100 Yonge Street, Lower Level		

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

CONFIRMATION OF MINUTES OF THE MEETING OF FEBRUARY 21, 2003

COMMUNICATIONS/REPORTS

1. Lane Designation – Bishop Avenue at Yonge Street (Ward 23 – Willowdale)

Report (February 28, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the designation of the westbound traffic lanes on Bishop Avenue, east of Yonge Street; and recommending that:

- (1) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the northerly westbound lane on Bishop Avenue for right turns only, from the easterly limit of Yonge Street to a point 30 metres easterly thereof; and
- (2) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the southerly westbound lane on Bishop Avenue for shared through and left turns only, from the easterly limit of Yonge Street to a point 30 metres easterly thereof.

2. 40 km/h Speed Limit – Alamosa Drive and Appian Drive (Ward 33 – Don Valley East)

Report (February 21, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on reducing the speed limit on Alamosa Drive and Appian Drive to 40 km/h; and recommending that:

- (1) By-law No. 31878, of the former City of North York, be amended by adding a 40 km/h speed limit on Alamosa Drive, from the southerly limit of Finch Avenue East to the westerly limit of Gatehead Road;
- (2) By-law No. 31878, of the former City of North York, be amended by deleting the 40 km/h speed limit on Appian Drive, from the northerly limit of Alamosa Drive to the southerly limit of the south leg of Allview Crescent; and
- (3) By-law No. 31878, of the former City of North York, be amended by adding a 40 km/h speed limit on Appian Drive, from the northerly limit of Alamosa Drive to the southerly limit of Alamosa Drive.

3. Eastbound and Westbound Right Turn Lane Designation – Dufferin Street and Finch Avenue West (Ward 8 – York West) and (Ward 10 – York Centre)

Report (March 7, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, requesting approval to dedicate the eastbound and westbound curb lanes on Finch Avenue West at Dufferin Street; and recommending that:

- (1) the eastbound curb lane on Finch Avenue West at Dufferin Street, be designated for right turns only, buses excepted, between Dufferin Street and a point 50 metres westerly thereof;
- (2) the westbound curb lane on Finch Avenue West at Dufferin Street, be designated for right turns only, buses excepted, between Dufferin Street and a point 60 metres easterly thereof; and
- (3) the appropriate by-law(s) be amended accordingly.

4. Parking Prohibitions – Shaftesbury Street (Ward 10 – York Centre)

Report (March 12, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on prohibiting parking on Shaftesbury Street, between Overbrook Place and Barksdale 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 4:00 p.m., Monday to Friday, prohibition on the west side of Shaftesbury Street, from the northerly limit of Clifton Avenue to the southerly limit of Overbrook Place; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking between 8:00 a.m. and 4:00 p.m., Monday to Friday, on the west side of Shaftesbury Street, from the northerly limit of Clifton Avenue to the southerly limit of Barksdale Avenue.

5. Amendment to Dedicated Westbound Right Turn Lane – Sheppard Avenue West at Beecroft Road (Ward 23 – Willowdale)

Report (March 18, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing westbound right turn designation at Sheppard Avenue West and Beecroft Road; and recommending that:

- (1) the westbound curb lane on Sheppard Avenue West, between Beecroft Road and a point 30.5 metres easterly thereof, designated for right turning vehicles only, be deleted;
- (2) the westbound curb lane on Sheppard Avenue West, between Beecroft Road and a point 30.5 metres easterly thereof, be designated for right turning vehicles only, buses excepted; and
- (3) all appropriate by-laws be amended, accordingly.

6. School Bus Loading Zone – Emily Avenue and Whitfield Avenue (Ward 7 – York West)

Report (March 17, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of a school bus loading zone on Emily Avenue and Whitfield Avenue, adjacent to Venerable John Merlini Separate School; and recommending that:

- (1) By-law No. 32759, of the former City of North York, be amended by installing a school bus loading zone on the east side of Emily Avenue, from a point 89 metres south of the southerly limit of Whitfield Avenue to a point 19 metres southerly thereof; and

- (2) By-law No. 32759, of the former City of North York, be amended by installing a school bus loading zone on the south side of Whitfield Avenue, from the westerly limit of Hillside Road to a point 24 metres westerly thereof.

7. 40 km/h Speed Limit – Gosford Boulevard (Ward 8 – York West)

Report (March 19, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on reducing the speed limit on Gosford Boulevard to 40 km/h; and recommending that:

- (1) By-law No. 31878, of the former City of North York, be amended by deleting the existing 40 km/h speed limit on Gosford Boulevard, from the northerly limit of Shoreham Drive to the southerly limit of the south leg of Blacksmith Crescent;
- (2) By-law No. 31878, of the former City of North York, be amended by deleting the existing 40 km/h speed limit on Gosford Boulevard, from the northerly limit of Hullmar Drive to the southerly limit of Milo Park Gate; and
- (3) By-law No. 31878, of the former City of North York, be amended by installing a 40 km/h speed limit on Gosford Boulevard, from the northerly limit of the south leg of Hullmar Drive to the southerly limit of the north leg of Hullmar Drive.

8. Damage of Trees at the North York Civic Centre (Ward 23 – Willowdale)

Report (March 11, 2003) from the Commissioner of Economic Development, Culture and Tourism, reporting as requested by the local Councillor to the North York Community Council on three damaged City owned Honey Locust trees, located within the North York Boulevard circular driveway traffic of 5100 Yonge Street, North York Civic Centre; and recommending that:

- (1) North York Community Council allow these trees to remain conditional on:
 - (a) Corporate Services Facilities and Real Estate Division, through their contractor, provide a three year tree survival guarantee deposit for the value of the three Honey Locust trees and for all associated removal and replacement costs, that is \$7,083.00; and
 - (b) the subject trees being allowed to be retained for the life of the current tank.

- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

9. Special Occasion Beer Garden Permit Requests for Community Events (Ward 7 – York West and Ward 23 – Willowdale)

Report (March 11, 2003) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval to grant Special Occasion Beer Garden Permits to the groups listed in Attachment No. 1; and recommending that:

- (1) permission be granted to the groups listed in Attachment No.1, to hold Special Occasion Beer Garden Permit events;
- (2) the groups be required to obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario;
- (3) the groups be charged the approved \$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;
- (4) the groups provide proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;
- (6) the groups comply with all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

10. Request for Extension of Existing Liquor License for Community Event – Armenian Community Centre Annual Summer Festival – 45 Hallcrown Place – Friday July 4, 2003 – Sunday, July 6, 2003 - Ward 33 – Don Valley East

Communication (March 17, 2003) from Ani Tuysusian, Manager, Armenian Community Centre, requesting permission to apply for an extension of the existing liquor license for the annual Armenian Community Centre Summer Festival, to be held on Friday, July 4, 2003 – 5:00 p.m. to 2:00 a.m., Saturday, July 5, 2003 – 4:00 p.m. to 2:00 a.m. and Sunday, July 6, 2003 – 5:00 p.m. to 1:00 a.m. at the Armenian Community Centre, 45 Hallcrown Place.

11. Surplus Land Declaration and Proposed Closing of a portion of the Kenaston Gardens Road Allowance (Ward 24 – Willowdale)

Joint Report (March 7, 2003) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, recommending that a portion of the Kenaston Gardens road allowance, shown as Part 1 on the attached Sketch No. PS-2003-108 (the “Highway”) be permanently closed and declared surplus to municipal requirements; and further recommending that:

- (1) the Administration Committee recommend to Council, conditional upon Council’s approval of the recommendation to the North York Community Council set out herein that the Highway be permanently closed, that:
 - (a) the Highway be declared surplus to the City’s requirements and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
 - (b) the Commissioner of Corporate Services be authorized to invite an offer to purchase from Daniels Kenaston Corporation, the developer of the adjoining lands for the sale of the Highway;

- (2) the North York Community Council recommend to Council, conditional upon Council’s approval of the recommendations to the Administration Committee set out herein that the Highway be declared surplus, that:
 - (a) subject to compliance with the requirements of the Municipal Act, 2001, and following Council’s approval of a sale of the Highway, the Highway be permanently closed as a public highway;
 - (b) Notice of Completion be published in accordance with the requirements of the Municipal Class Environmental Assessment (“Class EA”) for a Schedule “B” project, at an estimated cost of \$2,500.00 to be paid by the applicant referred to herein, on the understanding that any such costs paid by the applicant will not be refunded to the applicant unless the Highway is closed and sold to a party other than the applicant, its successors or assigns;
 - (c) following Council’s approval of a sale of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the North York Community Council hear any member of the public who wishes to speak to this matter;
 - (d) following the closure of the Highway, easements be granted to any affected utility companies for the existing utilities plant located in

the Highway or, with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of the Highway, with such costs to be determined by the appropriate utility companies; and

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

12. Sale of Vacant Parcel of Land at the rear of 117 Horsham Avenue (Ward 23 – Willowdale)

Report (March 11, 2003) from the Commissioner of Corporate Services, to authorize the sale of a vacant parcel of land at the rear of Horsham Road; and recommending that:

- (1) the Offer to Purchase from Christopher Bodanis to purchase the City-owned lands at the rear of 117 Horsham Avenue, shown as Part 2, Reference Plan 66R-20058, in the amount of \$3,000.00, 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.

13. Assumption of Services – Subdivision owned by Bowan Investments Inc. – Plan 66M-2304, Subdivision File UDSB-1217 – Bowan Court (Ward 24 – Willowdale)

Report (March 10, 2003) from the Director, Development Engineering, Works and Emergency Services, advising Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2304, dated May 5, 1997, between Bowan Investment Inc. and the former City of North York are in the required condition to be assumed by the City; and recommending that:

- (1) an assumption by-law be passed to assume the municipal services in Subdivision Plan 66M-2304; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

14. Ontario Municipal Board Hearing – Committee of Adjustment Appeals – 139 Anndale Drive (Ward 23 – Willowdale)

Report (March 14, 2003) from the City Solicitor, advising North York Community Council of the outcome of the Ontario Municipal Board appeals; and recommending that this report be received for information.

15. Preliminary Report – Application the amend the Zoning By-law and Draft Plan of Subdivision – TB ZBL 2003 0002 & TB SUB 2003 0001 – Bombardier Inc./Dehavilland Limited – Beffort Road (Ward 9 – York Centre)

Report (March 11, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, 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.

16. Preliminary Report – Application to Amend the North York Zoning By-law 7625 – TB ZBL 2003 0001 – Jacek & Joanna Gorka – 261 Willowdale Avenue (Ward 23 – Willowdale)

Report (March 6, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, 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.

17. Final Report – Application for Part Lot Control Exemption – TB PLC 2003 0001 – Georgian Project Managers Ltd. – 3336, 3338 and 3340 Bayview Avenue – Part of lots 1, 2 & 3, Registered Plan 4180, Designated as Parts 1 – 18 inclusive (Ward 24 – Willowdale)

Report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 12 street townhouse 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 after such time that the Owner register a Section 118 Restriction under the Land Titles Act agreeing not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate;
- (3) the by-law shall expire 18 months from the date of enactment; and
- (4) the appropriate City Officials be authorized and directed to register the By-law on title.

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

18. Designation of Fire Routes in the former North York Urban Area – Application No. 2002-002 – 80-100 Ellerslie Avenue and 20-56 McBride Lane (Ward 23 – Willowdale)

<i>Deputation Item – Scheduled for 10:15 a.m.</i>

Report (February 4, 2003) from the District Chief, Fire Prevention – North Command, Works and Emergency Services, seeking Council’s approval for the enactment of the appropriate amending by-law to designate certain locations as fire

routes within the meaning of By-law No. 29704 of former City of North York, as amended; and recommending that:

- (1) By-law 29704 of the former City of North York, as amended, be amended by adding the following locations to Schedule “B” of the By-law, thereby designating those locations as fire routes within the meaning of the By-law:
 - (a) Application No. 2002-002 80-100 Ellerslie Avenue and 20-56 McBride Lane
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

19. Designation of Fire Routes in the former North York Urban Area – Application No. 2003-002 – 1 to 23 Jonathan Dunn Way and Application No. 2003-003 – 17 to 30 William Poole Way (Ward 23 – Willowdale)

Deputation Item – Scheduled for 10:15 a.m.

Report (February 20, 2003) from the District Chief, Fire Prevention – North Command, Works and Emergency Services, seeking Council’s approval for the enactment of the appropriate amending by-law to designate certain locations as fire routes within the meaning of By-law No. 29704 of former City of North York, as amended; and recommending that:

- (1) By-law 29704 of the former City of North York, as amended, be amended by adding the following locations to Schedule “B” of the By-law, thereby designating those locations as fire routes within the meaning of the By-law:
 - (a) Application No. 2003-002 1 – 23 Jonathan Dunn Way
 - (b) Application No. 2003-003 17 – 30 William Poole Way
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

20. Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended for the erection of a pylon, flagpoles and directional signs throughout the parking lot of the Ikea store at 15 Provost Drive (Ward 24 – Willowdale)

Deputation Item – Scheduled for 10:30 a.m.

Report (March 11, 2003) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by

Michael Telawski of Weston Consulting Group Inc., on behalf of IKEA Properties Limited, for approval of variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of identification, advertising, directional and customer service signs at the above noted location; and recommending that:

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

21. Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of an illuminated ground sign at 185 Yorkland Blvd. (Ward 33 – Don Valley East)

Deputation Item – Scheduled for 10:45 a.m.

Report (March 12, 2003) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by Dominic Rotundo of Pattison Sign Group, on behalf of Ramada Hotels Inc. for approval of the variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of 250 ft² (18.6m²) and 30 ft (9.1m) illuminated ground sign at the above noted location; and recommending that:

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

22. Request for Approval of a Variance from the former City of North York By-law No. 30788, as amended, for the erection of an illuminated ground sign at 5665 Yonge Street (Ward 24 - Willowdale)

Deputation Item – Scheduled for 11:00 a.m.

Report (March 12, 2003) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by Thomas Smith of Viacom Outdoor on behalf of Karelada Investments Limited, for approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a 400 ft² (37.16m²) off-premise illuminated ground sign at the above noted location; 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 variances, of the requirement to obtain the necessary sign permit.

23. Final Report – Application to amend the North York Zoning By-law 7625 – TB ZBL 2001 0021 – Jane Wilson Towers Ltd. (c/o Revenue Properties) – 160 Chalkfarm Drive (Ward 7 – York West)

Statutory Public Meeting – Scheduled for 2:00 p.m.

Report (January 3, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for an existing tuck shop at 160 Chalkfarm Drive; and recommending that City Council:

- (1) amend the Zoning By-law 7625 for substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

24. Final Report – Application to Amend the Official Plan and Zoning By-law 7625 – TB CMB 2002 0010 – 1379288 Ontario Corporation – 4691 Bathurst Street, 500 Ellerslie Avenue and 45 – 51 Farrell Avenue (Ward 23 – Willowdale)

Deputation Item – Scheduled for 2:30 p.m.

Report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application which has been appealed to the Ontario Municipal Board, to amend the Official Plan and the Zoning By-law for 61 townhouses on Bathurst Street between Ellerslie Avenue and Farrell Avenue; and recommending that City Council direct:

- (1) the City Solicitor to seek approval of the Official Plan Amendment at the Ontario Municipal Board in relation to the appeal, substantially in accordance with the draft Official Plan Amendment attached to this report as Attachment 5.
- (2) The City Solicitor to seek approval of the Zoning By-law for this site at the Ontario Municipal Board in relation to the appeal, substantially in

accordance with the draft Zoning By-law Amendment attached to this report as Attachment 6.

- (3) The City Solicitor be authorized to make such stylistic and technical changes to the draft By-laws as may be required.
- (4) The City Solicitor request the Ontario Municipal Board to hold its Order approving the Official Plan Amendment and Zoning By-law until the Owner enters into a Site Plan Agreement under Section 41 of the Planning Act based on a site plan which provides an improved transition between the existing houses on Farrell and Ellerslie Avenues and the proposed development.
- (5) Upon an Ontario Municipal Board Order approving these applications, and when appropriate, the Commissioner of Urban Development Services to process applications for Part Lot Control and Condominium.

25. Final Report – Application to amend the Official Plan and Zoning By-law 7625 – TB CMB 2002 0005, TB SPC 2002 0034 – 1314193 Ontario Limited – 27 – 49 Bales Avenue and 30, 32, 34 and 42 Glendora Avenue (Ward 23 – Willowdale)

<i>Statutory Public Meeting – Scheduled for 2:45 p.m.</i>

Report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law for the development of two, 23-storey residential condominium buildings and 6 townhouses at Bales Avenue, Anndale Drive and Glendora Avenue, east of Yonge Street and south of 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 7;
- (2) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 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 any necessary amendments to the new Official Plan should the Minister of Municipal Affairs issue a decision on the new Official Plan

adopted by City Council on November 28, 2002, as it pertains to this site, prior to Council's adoption of this Report;

- (5) before introducing the necessary Bills to City Council for enactment, require the owner to convey or cause to be conveyed to the City for a nominal sum, free of all encumbrances, the following lands for dedication as public highway, and deposit with the City Solicitor Deeds for these lands, in satisfactory form, to be registered by the City prior to any amending by-law coming into effect:
 - (a) the necessary lands for the extension of a 23 m road allowance on Anndale Drive as determined by the Survey and Mapping Services Division of the Works and Emergency Services Department, as per North York Centre Secondary Plan Policies (shown in the approved Environmental Study Report Addendum titled "Downtown Plan South of Sheppard Avenue"); and
 - (b) the necessary lands for the extension of a 20 m road allowance on Bales Avenue as determined by the Survey and Mapping Services Division of the Works and Emergency Services Department, as per North York Centre Secondary Plan Policies (shown in the approved Environmental Study Report Addendum titled "Downtown Plan South of Sheppard Avenue"). The 20m road allowance will consist of a strata conveyance at an elevation from the proposed road grade to 1.5 m below. The strata conveyance will be limited from the proposed east street line of Bales Avenue to the extent of the proposed underground parking garage;
- (6) before introducing the necessary Bills to City Council for enactment, require the owner to provide to the City, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, a certified cheque in the amount of \$23,529, as the settlement for the four City owned trees that had been removed on City lands adjacent to the site;
- (7) before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement with the City, to the satisfaction of the City Solicitor, to provide or fund the following facilities, services and/or matters:
 - (a) a minimum of 1.5 m² indoor recreational amenity area per unit, and a minimum of 262 m² for bicycle storage space for the project;
 - (b) prior to the issuance of any above-grade building permit for the development, a third party agreement between the owner and the Willowdale Plaza owner, to provide for pedestrian access across the Willowdale Plaza site to the TTC entrance, on a temporary basis

until such time as the Anndale Drive extension to Yonge Street is acquired by the City. Such agreement shall include provisions for the construction and maintenance of the walkway, and public access. The owner shall provide to the City a letter of credit in the amount of \$10,000 to secure the construction of this walkway.

However, if the owner fails to provide to the City an appropriate third party agreement with the Willowdale Plaza owner prior to the issuance of any above-grade building permit for the development, that the owner instead provide to the City a certified cheque in the amount of \$10,000 to be used for improvements including sidewalk and/or landscaping upgrades to the Glendora Avenue public right-of-way between Yonge Street and the development site as an alternative route to the subway;

- (c) prior to the issuance of any above or below grade building permits, a construction phasing and truck routing plan, approved by the Director, Transportation Services, District 3, with such plan to include the maintenance of a pedestrian route along the future Anndale Drive alignment the full extent of the site, in the form of a temporary walkway, to be maintained by the owner, until such time as the concrete sidewalk on the south side of the future Anndale Drive extension has been constructed; and
 - (d) prior to the issuance of a building permit, a cash-in-lieu of public art contribution to the City in the amount of \$50,000, toward a public art fund for North York Centre;
- (8) before introducing the necessary Bills to City Council for enactment, require the owner to confirm to the satisfaction of the City Solicitor that the outstanding appeals of the North York Centre Secondary Plan (OPA 447) related to the subject site have been dismissed or withdrawn; and
- (9) approve under Section 41 of the Planning Act the proposed two 23-storey residential buildings and 6 townhouses, as indicated on the following plans and subject to the conditions of Site Plan Approval found in Attachment 9:

Plans prepared by Rafael and Bigauskas Architects:

Plan No.	Plan Title	Date Stamped
A1-1	Site Plan	March 12, 2003
A2-2	Garage Level P2, P3	March 5, 2003
A2-3	Garage Level P1	March 5, 2003
A3-1	Ground Floor Plan	March 5, 2003
A3-2	Typical Floor Plan A+B	March 5, 2003
A3-3	Third Floor Plan A+B	March 5, 2003

A4-1	South Elevation	March 5, 2003
A4-2	West Elevation	March 5, 2003
A4-3	East Elevation	March 5, 2003
A4-4	North Elevation	March 5, 2003
A6-1	Townhouse Plans	March 5, 2003
A6-2	Townhouse Elevations	March 12, 2003
A7-01	Garbage Collection	March 5, 2003

Plans prepared by Strybos Associates Ltd. Landscape Architects:

Plan No.	Plan Title	Date Stamped
L-1	Landscape Plan	March 12, 2003
L-2	Grading Plan	March 5, 2003
L-3	Sections	March 5, 2003
L-4	Tree Inventory/ Preservation Plan	March 5, 2003
L-5	Construction Details	March 5, 2003
L-6	Construction Details	March 5, 2003

25(a). Communication (March 17, 2003) from Mr. David Howe, President, South Downtown Property Owners Group

26. Final Report – Application to amend the Zoning By-law – TB ZBL 2002 0008 – Daniels Kenaston Gardens – 25-39 and 28-38 Kenaston Gardens (Ward 24 – Willowdale)

<i>Statutory Public Meeting – Scheduled for 3:15 p.m.</i>

Report (March 13, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for a 28-storey condominium apartment building with grade related units at the south terminus of Kenaston Gardens, located south of Sheppard Avenue and east of Bayview Avenue; and recommending that City Council:

- (1) Amend 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.
- (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 satisfy the following conditions:

- (i) enter into an Agreement under Section 37 of the Planning Act for the exemption of indoor private recreational amenity area from the calculation of gross floor area to a maximum of 1,000m²;
- (ii) deposit a letter of credit or certified cheque in the amount of \$10,000.00 to the satisfaction of the Director, Community Planning, North District, for future traffic monitoring to be undertaken;
- (iii) obtain Site Plan approval under Section 41 of the Planning Act; and,
- (iv) provide confirmation that arrangements have been made to satisfy the requirements of the Works and Emergency Services Department as outlined in their memorandum dated February 26, 2003.

27. Final Report – Application to amend the Official Plan and Zoning By-law – TB CMB 2001 0012 – Sterling Silver Development Corporation - Gates of Bayview – 4001, 4003 and 4005 Bayview Avenue (Ward 24 - Willowdale)

<i>Deputation Item – Scheduled for 3:30 p.m.</i>

Report (March 18, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and Zoning By-law to permit additional development of 12 and 16 storey rental apartment buildings with 320 units, and a 3 storey, 104 unit rental retirement home, for additional gross floor area of 45, 930 m²; and recommending that:

- (1) The City Solicitor seek approval of the Official Plan Amendment for this site at the Ontario Municipal Board in relation to the appeal, substantially in accordance with the draft Official Plan Amendment attached to this report as Attachment No. 5.
- (2) The City Solicitor seek approval of the Zoning By-law Amendment for this site at the Ontario Municipal Board in relation to the appeal, substantially in accordance with the draft Zoning By-law Amendment attached to this report as Attachment No. 6;
- (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) The City Solicitor request that the Ontario Municipal Board hold its Order approving the Official Plan amendment and zoning by-law until the owner has obtained site plan approval for the development.
- (5) Prior to Site Plan Approval, the owner shall make a contribution to the City in the amount of \$100,000 for improvements to Garnier Park, to the

satisfaction of the Commissioner of Economic Development, Culture and Tourism.

28. Final Report – Application to Amend Zoning By-law 7625 – TB ZBL 2002 0003 – Talisker GP Inc. – 2233 Sheppard Avenue West (Ward 7 – York West)

Statutory Public Meeting – Scheduled for 4:00 p.m.

Report (March 4, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit additional retail and office uses at 2233 Sheppard Avenue West; 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 attached as Attachment No. 5.
- (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 amend the Zoning By-law to Council for enactment, the following condition shall be fulfilled to the satisfaction of the City Solicitor:
 - (a) the conveyance of a widening of up to 2.13 metres along the Sheppard Avenue West frontage to satisfy the requirement of a 30 metre right-of-way.

29. Final Report – Application to Amend the Official Plan and Zoning By-law 7625 & Draft Plan of Subdivision – TB CMB 2001 0013 and TB SUB 2001 0003 – Workplace Safety and Insurance Board – 115 Torbarrie Road (Ward 7 – York West)

Statutory Public Meeting – Scheduled for 4:15 p.m.

Report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and Zoning By-law and a Draft Plan of Subdivision to permit residential development for the site currently occupied by the Workplace Insurance and Safety Board located at 115 Torbarrie Road; 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 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. 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.
- (4) request Ministry of Municipal Affairs to modify the Toronto Official Plan to amend the designation on the subject lands from Employment Areas to Neighbourhoods, save except:
 - (a) Block 154, shown on the draft plan of subdivision prepared by Marshall Macklin Monaghan, dated June 2002, revision date March 7, 2003, as Attachment 3 to this report, which shall be redesignated to Apartment Neighbourhoods.
 - (b) Blocks 159, 160, 161, shown on the draft plan of subdivision prepared by Marshall Macklin Monaghan, dated June 2002, revision date March 7, 2003, as Attachment 3 to this report, which shall be redesignated to Parks & Open Space Areas – Natural Area.
 - (c) Block 155, shown on the draft plan of subdivision prepared by Marshall Macklin Monaghan, dated June 2002, revision date March 7, 2003, as Attachment 3 to this report, which shall be redesignated to Parks & Open Space Areas – Parks.
- (5) request the Ministry of Municipal Affairs to modify Map 2- Urban Structure to implement Recommendation No. 4.
- (6) notwithstanding Recommendations Nos. 4 and 5, should the Ministry of Municipal Affairs approve the Toronto Official Plan prior to City Council's approval of TB CMB 2001 0013, that City Council authorize any required amendments to the Toronto Official Plan, adopted by City Council on November 28, 2002.
- (7) Council be advised that the Chief Planner, who has been delegated authority to approve conditions of draft plan of subdivision approval, proposes to approve the application on the following conditions:

- (a) This approval applies to the draft plan of subdivision prepared by Marshall Macklin Monaghan, dated June 2002, revision date March 7, 2003, as Attachment 1 to this report.
- (b) Streets A to G (inclusive) shall be dedicated to the City of Toronto as public highway on the final plan.
- (c) Blocks 156, 157 and 158 shall be dedicated to the City of Toronto as public walkway on the final plan.
- (d) Block 155 shall be dedicated to the City of Toronto as public parkland on the final plan.
- (e) Blocks 162 to 165 (inclusive) shall be dedicated to the City of Toronto and shown as municipal 0.3 metre reserves on the final plan.
- (f) Block 159 shall be dedicated to the City of Toronto for stormwater management on the final plan.
- (g) the conveyance of all lands to the City of Toronto shall be free and clear, above and below grade, or all easements, encumbrances and encroachments, except those existing already on the land that are for the benefit of the City.
- (h) Blocks 160 and 161 shall be dedicated to the Toronto and Region Conservation Authority as open space and parks/open space walkway, respectively on the final plan.
- (i) the owner shall provide evidence of taxes paid.
- (j) Prior to final approval and registration of this plan, the Owner shall agree in the subdivision agreement, in wording satisfactory to the Medical Officer of Health and to the City Solicitor, to carry out or cause to be carried out the Recommendations of the Report prepared by Marshall Macklin Monaghan, titled "Noise Feasibility Study", dated September 2002 and any addendums to these reports as may be required by the City for the abatement of noise and vibration control. Further, the owner shall agree in the subdivision agreement with the City to provide warning Notices in all Offers of Purchase and Sale Agreements in wording satisfactory to the City.
- (k) Prior to final approval and registration of this plan, the Owner shall be required to submit a revised Noise Study prepared by a qualified noise consultant in order to provide additional analysis for phasing should interior lots be developed before Blocks 151 to 154

(inclusive). Such report shall include noise and vibration mitigation requirements satisfactory to the Commissioner of Urban Development Services and the Medical Officer of Health.

- (l) Prior to final approval and registration of this plan, the Owner shall agree in the subdivision agreement, in wording satisfactory to the Toronto and Region Conservation Authority, to carry out or cause to be carried out the Recommendations of the Report prepared by Shaeen Peaker Limited titled Geotechnical Investigation, dated February 25, 2002 and supplemented by a letter dated July 11, 2002, and any addendums to these reports as may be required by the City and the Toronto and Region Conservation Authority.
- (m) Prior to final approval and registration of this plan, the Owner shall agree in the subdivision agreement, in wording satisfactory to the City Solicitor, to carry out or cause to be carried out the Recommendations of the Report prepared by Marshall Macklin Monaghan titled Safety Zones from Golf Course Holes at Oakdale Golf and Country Club, dated February 2003, as peer reviewed by Robert Heaslip & Associates Limited in the Report, dated February 19, 2003. Further, the owner shall agree in the subdivision agreement with the City to provide Warning Notices and Disclosure Statements in all Offers of Purchase and Sale Agreements and to register restrictive covenants, as required, on Lots 15 to 27 inclusive in wording satisfactory to the City Solicitor. The Owner shall further agree to include in the subdivision agreement, in wording satisfactory to the City Solicitor, to indemnify the City against any action or claim brought against the City in respect of injuries or damages to persons or property as a result of errant golf balls entering the residential subdivision.
- (n) the Owner shall provide a copy of the subdivision agreement to the Toronto and Region Conservation Authority, Toronto Hydro, Enbridge Consumers Gas, Bell Canada, Rogers Cable, Toronto District School Board, Ministry of Transportation, Greater Toronto Airports Authority and Toronto Transit Commission.
- (o) prior to final approval and registration of this plan, the Owner shall submit a detailed tree preservation plan, tree inventory, street tree planting plan and an edge management plan (detailing methods of tree protection and mitigating measures of possible adverse impacts on trees within 5 metres of the property boundary) satisfactory to the Commissioner, Economic Development, Culture and Tourism, Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services.

- (p) the Owner shall not remove any trees from the subject property prior to the approval of a detailed tree preservation plan, tree inventory and street tree planting plan, satisfactory to the Commissioner, Economic Development, Culture and Tourism, Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services.
- (q) the Owner shall maintain undeveloped Blocks in a condition acceptable to the City: graded and seeded, with fencing as may be required by the City satisfactory to the Commissioner of Urban Development Services.
- (r) the Owner shall be required to erect all fencing to the satisfaction of the Commissioner of Urban Development Services, Commissioner of Economic Development, Culture and Tourism, the Commissioner of Works and Emergency Services, the Medical Officer of Health and Toronto and Region Conservation Authority. Such fencing shall include but not be limited to: privacy fencing between new and existing uses along the perimeter of the property; fencing around walkway blocks, open space blocks, parks/open space walkway block and stormwater management block; corner lot fencing; and required acoustical fencing.
- (s) prior to final approval and registration of this plan, the Owner shall register restrictive covenants on Lots 27, 28, 45 to 51 (inclusive) prohibiting the construction of private gates and private accesses to Blocks 155, 159, 160 and 161 to the satisfaction of the Toronto and Region Conservation Authority, the Commissioner of Economic Development Culture and Tourism, the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services.
- (t) prior to final approval and registration of this plan, the Owner shall register restrictive covenants on Lots 27, 28, 45 to 51 (inclusive) prohibiting the installation of any form of screening or fencing along abutting property lines which abut Blocks 155, 159, 160 and 161 other than the standard fencing required by the City to the satisfaction of the Toronto and Region Conservation Authority, the Commissioner of Economic Development Culture and Tourism, the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services.
- (u) Urban Design Guidelines shall be prepared at the Owner's expense by an Urban Design Consultant acceptable to the Commissioner of Urban Development Services Department. Upon approval by the

Commissioner of Urban Development Services, these Guidelines will form part of the Subdivision Agreement.

- (v) The Owner shall covenant and agree in the Subdivision Agreement to implement the Urban Design Guidelines. The Owner shall retain a Control Architect acceptable to the Commissioner of Urban Development Services to implement these Guidelines.
- (w) The Urban Design Guidelines shall be administered at the Owner's expense on individual builders of the development by a Control Architect satisfactory to the Commissioner of Urban Development Services. Prior to issuance of a building permit, the Control Architect shall certify that the building plans for each dwelling unit is consistent with the approved Guidelines.
- (x) the appropriate standard conditions of approval for subdivisions (Attachment 8).
- (y) the conditions of Works and Emergency Services (Attachment 7A).
- (z) the conditions of Economic Development, Culture and Tourism, Policy Development Division (Attachment 7B).
- (aa) the conditions of Economic Development, Culture and Tourism, Urban Forestry Division (Attachment 7C).
- (bb) the conditions of Economic Development, Culture and Tourism, Heritage Services (Attachment 7D)
- (cc) the conditions of Community & Neighbourhood Services, Public Health Division (Attachment 7F).
- (dd) the conditions of the Toronto and Region Conservation Authority (Attachment 7G).
- (ee) the conditions of Toronto District School Board (Attachment 7L).
- (ff) the conditions of Ministry of Transportation (Attachment 7M).
- (gg) the conditions of Greater Toronto Airports Authority (Attachment 7N).

Notes to Draft Approval

- A. Toronto Hydro is to confirm that the Owner has made satisfactory arrangements, financial and otherwise with Toronto Hydro for the

installation of an underground electrical distribution system and street lighting system.

- B. Bell Canada is to confirm that the Owner has made satisfactory arrangements, financial and otherwise for any Bell Canada facilities servicing this draft plan of subdivision which are required by the City to be installed underground.
- C. The Owner shall make satisfactory arrangements, financial and otherwise, with a gas provider such as Enbridge Consumers Gas satisfactory to the City Solicitor, for the delivery of gas services to the plan of subdivision.
- D. Enbridge Consumers Gas standard minimum clearances of 0.3 metres vertically and 0.6 metres horizontally are to be maintained.
- E. The Owner shall enter into an agreement with an electricity provider.
- F. The Owner shall make satisfactory arrangements, financial and otherwise with Canada Post Corporation.