

**THE CITY OF TORONTO**

**City Clerk's Office**

**Minutes of the Toronto North Community Council**

**Meeting No. 5**

**Tuesday, May 4, 2004.**

The Toronto North Community Council met on Tuesday, May 4, 2004, in the Council Chambers, North York Civic Centre, commencing at 9:40 a.m.

**Attendance:**

Members were present for some or all of the time periods indicated.

	9:40 a.m. to 12:30 p.m.	2:15 p.m. to 2:45 p.m.
Councillor Minnan-Wong, Chair	x	x
Councillor Augimeri, Vice-Chair	x	x
Councillor Carroll	x	x
Councillor Feldman	x	x
Councillor Filion	x	x
Councillor Jenkins	x	x
Councillor Li Preti	x	x
Councillor Moscoe	x	x
Councillor Pitfield	x	x
Councillor Shiner	x	x
Councillor Stintz	x	x

On motion by Councillor Shiner, Ward 24 - Willowdale, the minutes of the meeting of the Toronto North Community Council held on April 7, 2004 were confirmed.

**5.1 Request for Fence Exemption – 51 Artreeva Drive (Ward 10 – York Centre)**

The Toronto North Community Council had before it a communication (March 11, 2004) from the City Clerk, advising that City Council, at its meeting held on March 1, 2 and 3, 2004, referred Clause No. 2 of Toronto North Community Council Report No. 2, headed “Request for Fence Exemption – 51 Artreeva Drive (Ward 10 –York Centre)”, back to the Toronto North Community Council for further consideration.

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The Toronto North Community Council also had before it a report (March 11, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, providing information on sight obstruction related to a fence installed at 51 Artreeva Drive.

Recommendation:

It is recommended that this report be received for information purposes.

The Toronto North Community Council also had before it a communication (April 16, 2004) from Ms. Gail Mostyn and Stuart Ziegler

The following persons appeared before the Toronto North Community Council on May 4, 2004, in connection with the foregoing matter:

- Mr. Stuart Ziegler and Ms. Gail Mostyn; and
- Ms. Margaret Callaghan.

On motion by Councillor Feldman, Ward 10 – York Centre, the Toronto North Community Council recommended to City Council that:

- (1) the report (January 27, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, not be adopted;
- (2) the report (March 11, 2004) from the Director, Transportation Services, North District, Works & Emergency Services, be received; and
- (3) the request by the owner of 51 Artreeva Drive, for an exemption from the City of Toronto's Municipal Code, Chapter 447 – Fences, be granted.

Councillor Shiner was opposed to the motion.

**(Report No. 4, Clause No. 1)**

**5.2 Request for Approval of Variances from the former City of York Sign By-law No. 3369-79, as amended, for the erection of a back to back third party advertising Roof Sign at 1627 Eglinton Avenue West (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (March 16, 2004) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by the property owner of 1627-1629 Eglinton Avenue West, for a variance from the former City of York Sign By-law No. 3369-79, as amended, to permit the erection of a back to back off premise roof sign.

Recommendation:

It is recommended that the request for a variance be refused for the reasons outlined in the report.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council deferred consideration of the foregoing report to the next meeting of the Toronto North Community Council on June 8, 2004.

**(Report No. 4, Clause No. 27(a))**

**5.3 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 projecting sign on the Jolly Miller Tavern at 3885 Yonge Street (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (April 15, 2004) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by Richard Montgomery of the Pegasus Group Inc., for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a projecting sign on the rear of the Jolly Miller Tavern building at 3885 Yonge Street.

Recommendations:

It is recommended that:

- (1) the request for the variance be approved; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit from the Commissioner of Urban Development Services.

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- A. Councillor Augimeri, Ward 9 – York Centre, moved that the Toronto North Community Council recommend to City Council, the adoption of the report (April 15, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services.
- B. Councillor Shiner, Ward 24 – Willowdale, moved that the report be adopted subject to the majority of the message on the sign dealing with the establishment's name as in the proposal submitted to the City, that being the "Miller Tavern".
- C. Councillor Filion, Ward 23 – Willowdale, moved in amendment to Motion B., moved by Councillor Shiner, that the words, "applicant agreeing that" be inserted after the words, "subject to the" so that the condition now reads as follows:
- "subject to the applicant agreeing that the majority of the message on the sign deal with the establishment's name as in the proposal submitted to the City, that being the "Miller Tavern".
- D. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the City Solicitor be requested, in consultation with other relevant City Departments, to report to City Council for the meeting scheduled for May 18, 19 and 20, 2004, on the nature of the agreement between the owners of the Jolly Miller Tavern and the City.

Upon the question of the adoption of Motions A., B., C., and D., moved by Councillors Augimeri, Shiner, Filion and Moscoe respectively, it was carried.

(Councillor Feldman declared an interest in this matter as he lives close to the subject property.)

(Councillor Jenkins declared an interest in this matter as his son is an employee of the Miller Tavern.)

**(Report No. 4, Clause No. 2)**

**5.4 Request for Approval of Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a third party roof sign on a commercial building at 3430 Bathurst Street (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (April 16, 2004) from the Director of Building and Deputy Chief Building Official, North District, Urban

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Development Services, reporting on a request by Sid Catalano of Pattison Outdoor, on behalf of Abell Sidali 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 back to back off premise roof sign.

Recommendation:

It is recommended that the request for a variance be refused for the reasons outlined in this report.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council deferred consideration of the foregoing report to the next meeting of the Toronto North Community Council on June 8, 2004.

**(Report No. 4, Clause No. 27(b))**

**5.5 Request to Remove Two City-owned Trees – 319 Hillcrest Avenue (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (March 31, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request for permission to remove two City-owned trees situated on the City road allowance adjacent to the above noted property.

Recommendation:

It is recommended that Toronto North Community Council deny the request for the removal of two City-owned trees at 319 Hillcrest Avenue.

The Toronto North Community Council also had before it a communication (April 30, 2004) from the Director, Parks and Recreation Division, indicating that the owner had entered into a Tree Preservation Agreement with Urban Forestry Services; had provided the required \$7,012.00 Tree Survival Guarantee deposit for the protection of the subject trees and further advising that in light of the new events that have taken place and because of the changes, it was no longer necessary for the applicant to remove the two City owned trees.

On motion by Councillor Filion, Ward 23 - Willowdale, the Toronto North Community Council referred the foregoing report back to staff in light of the new information provided in the communication dated April 30, 2004 from the Director, North District, Parks and Recreation Division:

**(Report No. 4, Clause No. 27(c))**

**5.6 Intention to Designate under Part IV of the Ontario Heritage Act, Alterations to a Heritage Property and Authority to Enter into a Heritage Agreement – 231-235 McRae Drive (Leaside Municipal Building and Fire Hall) (Ward 26 – Don Valley West)**

The Toronto North Community Council had before it a report (March 18, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending that the property at 231-235 McRae Drive be designated under Part IV of the Ontario Heritage Act, that alterations to the heritage property be approved and that authority be granted to enter into a Heritage Easement Agreement.

Recommendations:

It is recommended that:

- (1) Council states its intention to designate the property at 231-235 McRae Drive (Leaside Municipal Building and Fire Hall) under Part IV of the *Ontario Heritage Act*;
- (2) if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the *Ontario Heritage Act*;
- (3) if there are objections in accordance with Section 29(7) of the *Ontario Heritage Act*, the Clerk be directed to refer the proposed designation to the Conservation Review Board;
- (4) the alterations to the heritage property at 235 McRae Drive containing the former Leaside Municipal Building substantially as shown in the plans and drawings prepared by KPMB Architects and Superkul Inc., Architect, dated January 26, 2004 on file with the Manager, Heritage Preservation Services, be approved subject to:
  - (a) the owner entering into and registering on title a Heritage Easement Agreement with the City to provide for the permanent protection of the heritage building prior to Site Plan approval;
  - (b) the owner submitting a detailed Landscape Plan to the satisfaction of the Manager, Heritage Preservation Services prior to Site Plan approval;
  - (c) the owner providing architectural details and building materials to the addition to the satisfaction of the Manager, Heritage Preservation Services prior to Site Plan approval;

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- (d) the owner providing a Conservation Plan, prepared by a qualified heritage architect, detailing interventions and conservation work to the heritage building to the satisfaction of the Manager, Heritage Preservation Services, prior to the issuance of any building permit, including permits for demolition, excavation and shoring. The Conservation Plan should also address the long-term conservation and maintenance requirements of the heritage building;
  - (e) the owner providing financial security in an amount and form satisfactory to the Commissioner of Economic Development, Culture and Tourism, to provide for the protection of the heritage building during construction and to implement the Conservation Plan, prior to the issuance of any building permit, including permits for demolition, excavation and shoring;
  - (f) the owner providing Heritage Preservation Services with two (2) copies of the required photographs for inclusion in the Heritage Easement Agreement;
- (5) 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 235 McRae Drive, 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;
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto North Community Council also had before it the following communications, which are on file in the office of the City Clerk, North York Civic Centre:

- (April 13, 2004) from the City Clerk, advising that The Toronto Preservation Board, at its meeting held on April 8, 2004:
  - (1) deferred consideration of the report (March 18, 2004) from the Commissioner of Economic Development, Culture and Tourism to the June 17, 2004 meeting of the Toronto Preservation Board; and
  - (2) requested Heritage Preservation Services staff to advise the Committee of Adjustment of the Board's action and its endorsement, in principle, of the execution of a Heritage Easement Agreement on this property.

- (May 3, 2004) from the Junior Academy Inc.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the Toronto North Community Council deferred consideration of the foregoing report to the next meeting of the Toronto North Community Council on June 8, 2004.

**(Report No. 4 - Clause No. 27(d))**

**5.7 Vehicular Access – Braeside Road rear of 129 Ronan Avenue (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (March 23, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the homeowner's request to reopen the matter pertaining to their request for permission to provide vehicular access via Braeside Road rear of 129 Ronan Avenue.

Recommendations:

It is recommended that City Council approve the application for permission for vehicular access via Braeside Road rear of 129 Ronan Avenue, subject to the owner:

- (a) obtaining clearance from the owner of 40 Kappel Avenue to cross over a portion of the driveway on the Braeside Road right of way flank servicing 40 Kappel Avenue to access the rear of property at 129 Ronan Avenue;
- (b) purchasing the one-foot Reserve strip at the rear of 129 Ronan Avenue; and
- (c) accepting any additional conditions the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the Corporation.

The Toronto North Community Council also had before it the following communications, which are on file in the office of the City Clerk, North York Civic Centre:

- (April 29, 2004) from Mr. Geoffrey Kent; and
- (April 5, 2004) from Dr. Doug Cowdrey.

The following persons appeared before the Toronto North Community Council in connection with the foregoing matter:



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- Mr. Geoffrey Kent; and
- Ms. Janice Barnett.

Councillor Augimeri, Vice-Chair assumed the Chair.

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the Toronto North Community Council recommended to City Council, the adoption of the report (March 23, 2004) from the Director, Transportation Services, North District, Works & Emergency Services, subject to Recommendation (a) and (b) being amended to provide that the purchase of the one-foot reserve strip at the rear of 129 Ronan Avenue be subject to the City receiving a letter obtaining clearance from the owner of 40 Kappel Avenue to cross over a portion of the driveway on the Breaside Road right-of-way flank servicing 40 Kappel Avenue to access the rear of the property at 129 Ronan Avenue.

**(Report No. 4, Clause No. 3)**

**5.8 All Way Stop Control – Dolores Road at Sawmill Road (Ward 9 – York Centre)**

The Toronto North Community Council had before it a report (February 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of an all way stop control at the intersection of Dolores Road at Sawmill Road.

Recommendation:

It is recommended that this report be received for information only.

On motion by Councillor Augimeri, Ward 9 – York Centre, the Toronto North Community Council recommended to City Council that:

- (1) the report (February 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services; not be adopted; and
- (2) an all way stop control be installed at the intersection of Dolores Road at Sawmill Road.

**(Report No. 4, Clause No. 4)**

**5.9 Disabled Loading Zone – Canyon Avenue (Ward 10 – York Centre)**

The Toronto North Community Council had before it a report (April 14, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of a Disabled Loading Zone on Canyon Avenue.

Recommendation:

It is recommended that Schedule F of By-law No. 31770, of the former City of North York be amended to install a Disabled Loading Zone on the north side of Canyon Avenue, from a point 24 metres east of the easterly limit of Bathurst Street to a point 35 metres east of the easterly limit of Bathurst Street.

On motion by Councillor Feldman, Ward 10 – York Centre, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 5)**

**5.10 Parking Prohibitions and Turn Restrictions – Rockford Road (Ward 10 – York Centre)**

The Toronto North Community Council had before it a report (April 13, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the current parking/stopping regulations on Rockford Road and to restrict traffic movements at the driveway access associated with the Rockford Public School.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the no parking, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the south side of Rockford Road, from the easterly limit of Sunnycrest Road to the westerly limit of Robingrove Road;
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the no stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the south side of Rockford Road, from the easterly limit of Robingrove Road to the westerly limit of Torresdale Avenue;

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- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended to install a no stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the south side of Rockford Road, from the easterly limit of Sunnycrest Road to the westerly limit of Torresdale Avenue; and
  - (4) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit southbound left turns, 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m., Monday to Friday, from the second driveway located on the north side of Rockford Road, west of Robingrove Road.

On motion by Councillor Feldman, Ward 10 – York Centre, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 6)**

**5.11 Parking/Stopping Prohibitions – Glenbrook Avenue (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (April 14, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing parking and stopping regulations on Glenbrook Avenue.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking Anytime prohibition on the north side of Glenbrook Avenue, from the easterly limit of Dufferin Street to the westerly limit of Lois Avenue;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the north side of Glenbrook Avenue, from a point 95 metres east of the easterly limit of Dufferin Street to the westerly limit of Lois Avenue;
- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping Anytime prohibition on the north side of Glenbrook Avenue, from the easterly limit of Dufferin Street to a point 80 metres easterly thereof; and

- (4) 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 Glenbrook Avenue, from the easterly limit of Dufferin Street to a point 95 metres easterly thereof.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 7)**

**5.12 All Way Stop Control – Barse Street and Melrose Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (April 14, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of an all way stop control at the intersection of Barse Street and Melrose Avenue.

Recommendation:

It is recommended that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to Barse Street at Melrose Avenue intersection.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Moscoe, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 8)**

**5.13 Parking Prohibitions – Mason Boulevard (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before a report (April 14, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing parking regulations on Mason Boulevard.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday,

prohibition on the east side of Mason Boulevard, from the southerly limit of McGlashan Road to a point 64 metres south of the southerly limit of McGlashan Road; and

- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the east side of Mason Boulevard, from the southerly limit of Dunster Avenue to a point 64 metres south of the southerly limit of McGlashan Road.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 9)**

**5.14 40 km/h Speed Limit – Burke Street (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (April 14, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on reducing the speed limit on Burke Street to 40 km/h.

Recommendation:

It is recommended that By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Burke Street from the southerly limit of Drewry Avenue to the northerly limit of Fairchild Avenue, to 40 km/h.

The Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 10)**

**5.15 All Way Stop Control – Homewood Avenue and Peckham Avenue (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (April 14, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of an all way stop control at the intersection of Homewood Avenue and Peckham Avenue.

Recommendation:

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It is recommended that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Homewood Avenue and Peckham Avenue.

The Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 11)**

**5.16 All Way Stop Control – St. Regis Crescent and St. Regis Crescent North (Ward 8 – York West)**

The Toronto North Community Council had before it a report (April 15, 2004) from the Director, Transportation Services, North District, Urban Development Services, reporting on the installation of an all way stop control at the intersection of St. Regis Crescent and St. Regis Crescent North.

Recommendation:

It is recommended that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of St. Regis Crescent and St. Regis Crescent North.

The Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 12)**

**5.17 40 km/h Speed Limit – Fisherville Road (Ward 10 – York Centre)**

The Toronto North Community Council had before it a report (April 19, 2004) from the Director, Transportation Services, North District, Urban Development Services, reporting on a request from Councillor Feldman to introduce a 40 km/h speed zone on Fisherville Road.

Recommendation:

It is recommended that this report be received for information only.

On motion by Councillor Feldman, Ward 10 – York Centre, the Toronto North Community Council recommended to City Council that:

- (1) the report (April 19, 2004) from the Director, Transportation Services, North District, not be adopted; and
- (2) a 40 km/h speed limit be installed on Fisherville Road.

**(Report No. 4, Clause No. 13)**

**5.18 Request for a New Driveway Entrance – 479 Woburn Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (April 15, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to construct a new 3 metre driveway entrance at the front of 479 Woburn Avenue.

Recommendation:

It is recommended that the request for a new driveway entrance be approved.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 14)**

**5.19 Naming of Proposed Private Lane at 8, 10 and 12 Clairtrell Road (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (April 19, 2004) from the City Surveyor, Works and Emergency Services, recommending that the proposed private lane at the residential development at 8, 10 and 12 Clairtrell Road be named “España Lane”.

Recommendations:

It is recommended that:

- (1) the proposed private lane at the residential development at 8, 10 and 12 Clairtrell Road, as shown on Attachment No. 1, be named “España Lane”;
- (2) Chestnut Hill Homes, pay the costs estimated to be in the amount of \$400, for the fabrication and installation of street name signs; and

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

On motion by Councillor Filion, Ward 23 – Willowdale, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 15)**

**5.20 Easements and Maintenance Agreements – TD SUB 2001 0001 – CNIB/Bloorview-MacMillan – 1929 Bayview Avenue and 350 Rumsey Road (Ward 26 – Don Valley West)**

The Toronto North Community Council had before it a report (April 20, 2003) from the Director, Development Engineering, Works and Emergency Services, reporting on obtaining Council authority for the City to enter into easement agreements with the Toronto Regional Conservation Authority (TRCA) for existing and proposed municipal services related to the development at the CNIB/Bloorview-MacMillan institutional lands, as well as authority to enter into maintenance agreements with the developers.

Recommendation:

It is recommended that two sanitary sewer connections and two stormwater outfalls for the CNIB, Bloorview-MacMillan and the residential development at 1929 Bayview Avenue and 350 Rumsey Road be owned and maintained by the City subject to:

- (i) the City entering into the appropriate easement agreements with the TRCA and other appropriate landowners for the existing and proposed municipal services within the Burke Brook Ravine on TRCA lands; and
- (ii) the City and the owners entering into a maintenance agreement; and
- (iii) such agreements to be to the satisfaction of the Commissioner of Works and Emergency Services and the City Solicitor.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 16)**



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**5.21 Assumption of Services – Subdivision owned by 1326718 Ontario Ltd. – Plan 66M-2333 – Subdivision File UDSB-1211 - Liberato Court (Ward 10 – York Centre)**

The Toronto North Community Council had before it a report (April 20, 2004) from the Director, Development Engineering, Works and Emergency Services, advising Council that the municipal services installed under the terms of the Subdivision Agreement for 66M-2333, dated February 9, 1999, between 1326718 Ontario Ltd. and the City of Toronto are in the required condition to be assumed by the City.

Recommendations:

It is recommended that:

- (1) an assumption by-law be passed to assume the public highways and municipal services in Subdivision Plan 66M-2333.
- (2) the City Solicitor be authorized and directed to make any payment of costs necessary to register the assumption by-law in the Land Registry Office.

On motion by Councillor Feldman, Ward 10 – York Centre, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 17)**

**5.22 Special Occasion Beer Garden Permit Requests for Community Events (Ward 23 – Willowdale and Ward 8 – York West)**

Report (April 7, 2004) 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.

Recommendations:

It is recommended 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;

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- (3) the groups be charged the approved 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.

On motion by Councillor Li Preti, Ward 8 – York West, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 18)**

**5.23 Appointments to the Gibson House Community Museum Board (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (April 13, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending to Council the appointment of citizen members to the Gibson House Community Museum Board.

Recommendations:

It is recommended that:

- (1) The Toronto North Community Council nominate the selected individuals listed in Attachment No. 1 to the Gibson House Community Museum Board for a term expiring on November 30, 2006, or until a successor is appointed; and
- (2) The Toronto North Community Council nominate the selected representatives listed in Attachment No. 1 from the North York Historical Society from the Toronto Region Conservation Authority to the Gibson House Community Museum Board for a term expiring November 30, 2006, or until a successor is appointed; and

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

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council:

- (1) that the selected individuals listed in Confidential Attachment No. 1 be appointed to the Gibson House Community Museum Board for a term expiring on November 30, 2006, or until a successor is appointed;
- (2) that the selected representatives listed in Confidential Attachment No. 1 from the North York Historical Society and from the Toronto Region Conservation Authority be appointed to the Gibson House Community Museum Board for a term expiring November 30, 2006, or until a successor is appointed; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

(Attachment No. 1 referred to in the report was forwarded to all Members of the Toronto North Community Council and City Council under separate cover because the subject matter relates to personal matters about identifiable individuals including municipal or local board employees)

**(Report No. 4, Clause No. 19)**

**5.24 Preliminary Report – Official Plan and Rezoning Application 04 112069 NMI 25 OZ – Aaron Landau, Landau Architect Inc. – 1000 Mount Pleasant Road (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (April 20, 2004) 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.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor.

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- (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.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the Toronto North Community Council approved the report (April 20, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, subject to Recommendation No. (2) being amended to read as follows:

- “(2) that in addition to the standard 120 metres notification, the notification area for the community consultation on this application be expanded to include the properties located within the boundaries of Broadway Avenue (north side only), (including the apartments at 82, 86 and 90 Broadway Avenue and 109, 119 and 121 Erskine Avenue); and west along the north side of Erskine Avenue to Yonge Street, then north to Sheldrake Boulevard; and then extending along the south side of Sheldrake Boulevard east to the former City of Toronto limits.”

**(Report No. 4, Clause No. 27(e))**

**5.25 Preliminary Report – Rezoning Application 04 117848 NHY 15 OZ – Giuseppe Dimarco – 416 Oakwood Avenue (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (April 19, 2004) 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.

Recommendations:

It is recommended 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.

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- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council approved the report (April 19, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, subject to Recommendation No. (2) being amended to read as follows:

- “(2) Notice for the community consultation meeting be given to landowners and residents within 300 metres of the site.”

**(Report No. 4, Clause No. 27(f))**

**5.26 Preliminary Report – Application to amend the Official Plan and Zoning By-law – 03 201751 NNY 08 OZ – 1530787 Ontario Inc. (George Popper Architect) – 102-134 Hucknall Road (Ward 8 – York West)**

The Toronto North Community Council had before it a report (March 23, 2004) 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.

Recommendations:

It is recommended 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.
- A. Councillor Li Preti, Ward 8 – York West, moved that the applicant be given an opportunity to address the Toronto North Community Council.

Upon the question of the adoption of Motion A., by Councillor Li Preti, it was carried.

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Mr. George Popper, George Popper Architect, appeared before the Toronto North Community Council in connection with the foregoing matter, on behalf of the applicant.

B. Councillor Feldman, Ward 10 – York Centre, moved that the Toronto North Community Council approve the report (March 23, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, subject to:

(1) Recommendation No. (1) being amended to read as follows:

“(1) Staff be directed to schedule a community consultation meeting within one month, in consultation with the Ward Councillor; and

(2) Recommendation No. (2) being amended to read as follows:

“(2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site and to individuals within the area bounded by Grandravine Drive to the south, Finch Avenue to the north, Keele Street to the east, and Derrydown Avenue to the west.”

Upon the question of the adoption of Motion B., by Councillor Feldman, it was carried.

(Councillor Moscoe declared an interest in the matter as his principal residence is in the vicinity of this application.)

**(Report No. 4, Clause No. 27(g))**

**5.27 Preliminary Report – Application to amend the Official Plan and Zoning By-law – 04 120027 NNY 15 OZ – Savoia Developments Ltd. (Cityscape Design Innovations Inc.) – 108 Stayner Avenue (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (April 14, 2004) 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.

Recommendations:

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It is recommended 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.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council:

- (1) approved the report (April 14, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, subject to Recommendation No. (2) being amended to read as follows:  

“(2) Notice for the community consultation meeting be given to landowners and residents within 300 metres of the site;” and
- (2) requested that the Committee of Adjustment – North York Panel, be advised of the action taken by the Toronto North Community Council.

**(Report No. 4, Clause No. 27(h))**

**5.28 Preliminary Report – Rezoning Application 04 121069 NNY 24 OZ – IBI Group – 685 Sheppard Avenue East (Ward 24 – Willowdale)**

The Toronto North Community Council had before it a report (April 21, 2004) 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.

Recommendations:

It is recommended 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.

On motion by Councillor Shiner, Ward 24 – Willowdale, the Toronto North Community Council approved the foregoing report.

**(Report No. 4, Clause No. 27(i))**

**5.29 Site Plan Control Application – TB SPC 2001 0077 – Revival Time Tabernacle – 4340 Dufferin Street (Ward 8 – York West)**

The Toronto North Community Council had before it a report (February 24, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, reviewing a site plan control application, referred by Councillor Li Preti to City Council for a decision, in accordance with By-law No. 483-2000.

Recommendations:

It is recommended that Site Plan Control Application TB SPC 2001 0077 at 4340 Dufferin Street not be approved, in its current form as insufficient information has been submitted to fully evaluate the proposal and that revised plans be submitted that address the issues set out in this report.

On motion by Councillor Li Preti, Ward 8 – York West the Toronto North Community Council recommended to City Council:

- (1) the adoption of the report (February 24, 2004) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (2) the adoption of the following Resolution submitted by Councillor Li Preti:

“WHEREAS the applicant submitted a revised site plan application on Friday, April 30, 2004; and

WHEREAS Planning Staff and other departments have not had the opportunity to review the new submission;

THEREFORE BE IT RESOLVED that the application be referred back to staff for final comments on the revised plans and if satisfactory, the site plan application be approved by the Acting



Director, Community Planning, North District, Urban Development Services; and

BE IT FURTHER RESOLVED that if there are unresolved issues, the Acting Director, Community Planning, North District, Urban Development Services, be directed to report directly to City Council”.

**(Report No. 4, Clause No. 20)**

Councillor Augimeri, Vice-Chair assumed the Chair.

**5.30 Final Report – OPA and Rezoning Application 01 036296 NNY 09 OZ – Vincent Baffa, Beaverbrook Homes Inc. – 2772-2778 Keele Street (Ward 9 – York Centre)**

As directed by the Toronto North Community Council, at its meeting held on April 7, 2004, appropriate notice of the continuation of this statutory public meeting was given in accordance with the Planning Act.

The Toronto North Community Council had before it a report (February 24, 2004) 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 an 8 to 10 storey, 140 unit residential apartment building on the east side of Keele Street north of Wilson Avenue.

Recommendations:

It is recommended 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. 7.
- (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. 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.

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- (4) Before introducing the necessary Bills to amend the North York Official Plan and Zoning By-law to Council for enactment, the following conditions shall be fulfilled to the satisfaction of the City Solicitor:
- (a) The owner shall enter into an agreement with the City of Toronto pursuant to Section 37 of the Planning Act, in a form satisfactory to the City Solicitor to secure the following:
    - (i) prior to the issuance of a building permit, a contribution of \$52,000 for the following improvements:
      - landscaping on the Downsview Library property; and
      - streetscape improvements on Keele Street north of the intersection of Keele Street and Wilson Avenue.
    - (b) The Director, Community Planning, North District, shall have granted site plan approval under Section 41 of the Planning Act.
- (5) Authorize the City Solicitor to introduce the necessary Bills in Council to give effect to these recommendations and to prepare the agreements referred to.

The Toronto North Community Council also had before it a communication (April 15, 2004) from Mr. Barry A. Horosko, Bratty and Partners, Solicitor, on behalf of the Grande Murano Ltd., owners of the subject property.

Mr. Vincent Baffa, Beaverbrook Homes Inc., appeared before the Toronto North Community Council in connection with the foregoing matter.

Councillor Minnan-Wong resumed the Chair.

- A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the Toronto North Community Council recommended to City Council, that the application be approved subject to the conditions outlined in the following Resolution, submitted by Councillor Moscoe:

“WHEREAS Vincent Baffa, Beaverbrook Homes Inc. has made an application to amend the former City of North York Official Plan and Zoning By-law 7625 on the lands known municipally as 2772-2778 Keele Street in order to permit an 8 to 10 storey, 140 unit residential apartment building; and

WHEREAS the parkland dedication required for the application is by cash-in-lieu;

NOW THEREFORE BE IT RESOLVED THAT the required cash-in-lieu for parkland dedication for this development be directed towards improvements

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to parkland within Ward 9 to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, in consultation with the Ward Councillor;

FURTHER BE IT RESOLVED THAT the owner provide notice to all purchasers of units in the Agreements of Purchase and Sale that the development will be restricted to in-bound right-turn and out-bound right-turn movements from the access on Keele Street; and

FURTHER BE IT RESOLVED THAT the Draft By-law appended to the report of the Acting Director of Community Planning, North District be amended by deleting the word "midpoint" contained in Section 2 (l) and substituting the words "south-west corner" and

FURTHER BE IT RESOLVED THAT Recommendation (4) of the above-noted report be amended by deleting the amount of "\$52,000.00" and replacing it with \$200,000.00, such amount to be paid upon the coming into force of the by-law; and

FURTHER BE IT RESOLVED THAT the City Arborist conduct a tree audit of 2772-2778 Keele Street and develop an appropriate compensation plan consistent with the soon-to-be harmonized tree by-law for the City of Toronto; and

FURTHER BE IT RESOLVED that the City Solicitor support the above-noted application at the Ontario Municipal Board on the basis of the draft by-laws attached to the report (February 24, 2004) from the Acting Director, Community Planning, North District, as amended in accordance with the above."

A recorded vote on the condition contained in first Operative Paragraph of the Resolution submitted by Councillor Moscoe, that the required cash-in-lieu for parkland dedication for this development be directed towards improvements to parkland within Ward 9, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, in consultation with the Ward Councillor, was as follows:

FOR: Councillors Moscoe, Stintz, Augimeri, Filion, Carroll, Jenkins

AGAINST: Councillors Li Preti, Feldman, Minnan-Wong

ABSENT: Councillors Shiner, Pitfield

Carried.

Upon the question of the adoption of the balance of the Resolution by Councillor Moscoe, it was carried.

**(Report No. 4, Clause No. 21)**

**5.31 Preliminary Report – Rezoning Application 04 105648 NMI 16 OZ – Peter Higgins Archtiect Inc. – 269 Haddington Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (March 17, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's direction on further processing of the application and on the community consultation process.

Recommendations:

It is recommended 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.

The Toronto North Community Council approved the foregoing report:

**(Report No. 4, Clause No. 27(j))**

**5.32 Non-Objection Letter for Alcohol and Gaming Commission for the 2004 Celebrate Toronto Street Festival (Wards 27, 22, 16 and 25) (To be Considered with Toronto South Community Council Report No. 4, Clause No. 18)**

The Toronto North Community Council had before it a report (April 26, 2004) from the Commissioner of Economic Development, Culture and Tourism, addressed to the Toronto North Community Council and the Toronto South Community Council, seeking to have Council declare the 2004 Celebrate Toronto Street Festival an event of municipal significance in order to obtain a liquor licence from the Ontario Alcohol and Gaming Commission for the Celebrate Toronto Festival on July 9, 10 and 11, 2004.

Recommendations:

It is recommended that:

- (1) the 2004 Celebrate Toronto Street Festival be declared an event of municipal significance, for LLBO purposes and indicate that there is no objection to granting a liquor licence for beer gardens on the five festival sites along Yonge Street;
- (2) approval for the extension of temporary patio licences be given, upon request, to other businesses within the festival sites;
- (3) non-objection letter requests from restaurants applying for an extension of premises permit, in conjunction with the 2004 Celebrate Toronto Street Festival, be submitted at a later date;
- (4) Toronto Special Events obtain sidewalk sale permits on behalf of businesses within the festival sites; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Feldman, Ward 10 – York Centre, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 4, Clause No. 27(k))**

**5.33 Community Festival Permit Application – Cypriot Community of Toronto Inc. – Cultural and Wine Festival – June 26 and 27, 2004 (Ward 26 – Don Valley West)**

The Toronto North Community Council had before it a report (April 28, 2004) from the City Clerk, advising the Toronto North Community Council and City Council, that a Community Festival Permit Application from the Cypriot Community of Toronto Inc. was received by the City Clerk's North York Office respecting a proposed Cultural and Wine Festival to be held at 6 Thorncliffe Park Drive on June 26 and 27, 2004.

Recommendation:

It is recommended that the Toronto North Community Council consider recommending the issuance of a Community Festival Permit to the Cypriot Community of Toronto Inc.

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On motion by Councillor Pitfield, Ward 26 – Don Valley West, the Toronto North Community Council recommended to City Council that:

- (1) the Cultural and Wine Festival to be held on Saturday and Sunday, June 26 and June 27, 2004, hosted by the Cypriot Community of Toronto Inc., be deemed as a Community Festival;
- (2) Council sanction and grant the Community Festival permit for the Cultural and Wine Festival, subject to the following terms and conditions:
  - (i) Section 3.2 (f) of the former Borough of East York By-law No. 67-95 regarding security provisions to the Community Festival Permit be waived provided that the Cypriot Community of Toronto Inc. provides approximately five to ten security officers from their membership who will oversee the security for the Cultural and Wine Festival;
  - (ii) the applicant shall be responsible for arranging the private collection and disposal of all waste generated from the Cultural and Wine Festival;
  - (iii) where the festival takes place outdoors, the applicant shall ensure that adequate containers are provided to control litter and that the containers are emptied on a regular basis to ensure that litter does not become a problem on the permitted or surrounding properties;
  - (iv) for any portion of the event to be held outdoors, the applicant shall ensure that there is provision of barriers for liquor control, portable washrooms and increased security;
  - (v) the applicant complying with the following requirements from Building Division, North District:
    - (a) drawings in duplicate must be submitted to the Building Division at the North York Civic Centre, 5100 Yonge Street and a building permit must be obtained, for the installation of any tents and the construction of the stage for the orchestra, prior to the actual installation/construction;

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- (b) drawings must indicate the size and location of the tent with distances from the property lines and other buildings;
  - (c) details of the tent and its material must be submitted;
  - (d) the drawings must also show the size of the stage platform, the structural framing and its support, steps, guards and handrails; and
  - (e) a qualified professional engineer shall provide the design;
- (vi) the applicant complying with the following requirements from Municipal Licensing & Standards, North District:
- (a) the sound emitted from any equipment shall not exceed an equivalent sound level (Leq) of 85 dBA when measured 20 metres from the source over a five minute period;
  - (b) where the sound level exceeds 85 dBA, the applicant shall comply with any request made by an officer of the Toronto Police Service or a Municipal Standards Officer of the Municipal Licensing & Standards Division with respect to the volume of sound from the equipment to ensure compliance with Toronto Municipal Code, Chapter 591 – Noise, subsection D(1);
  - (c) no sound other than the equipment approved under the permit shall be used by the applicant;
  - (d) the event or activity shall be restricted to the approved location; and
  - (e) the permission granted is for the date and times for the event or activity as set out in the permit;
- (vii) the applicant complying with the following requirements from Fire Prevention Division, Fire Services:
- (a) no open flames (candles) to be used on tables inside the tent; and

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- (b) a ULC labelled portable fire extinguisher is to be provided near the BBQ area;
- (viii) the Environmental Health Officer, Healthy Environments, East Region, Toronto Public Health, conducting on site inspections prior to and on the two days of the festival to ensure that all relevant sections of the Ontario Food Premises Regulations (O. reg. 562) are met; and
- (3) Council grant an exemption to the Toronto Municipal Code, Chapter 591 – Noise, to permit the amplification of sound or playing of music until 2:00 a.m. on June 27, 2004; and 1:00 a.m. on June 28, 2004, on the basis that no complaints have been received by Municipal Licensing and Standards on past events.

**(Report No. 4, Clause No. 22)**

**5.34 Update on the Repair of the Toronto North Community Council Voting System**

The Toronto North Community Council had before it a report (April 27, 2004) from the Commissioner of Corporate Services, updating members of the Toronto North Community Council on steps being taken to repairing the equipment used for recorded votes during the Community Council meetings as per the request at the last Community Council meeting.

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Shiner, Ward 24 – Willowdale, the Toronto North Community Council received the foregoing report.

**(Report No. 4, Clause No. 27(I))**

**5.35 Encroachment Agreement Application – 1 St. Ives Avenue (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (April 21, 2004) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, to permit an existing encroachment consisting of a landscaped forecourt with plantings, garden wall, a heated walkway and stone steps within the forecourt, lawn irrigation system and low voltage landscape lighting, all located within the St. Ives Avenue municipal road allowance, in front of the residential property known



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municipally as 1 St. Ives Avenue, and to further permit the installation of a heated stone driveway, iron gate with stone support columns, also within the said road allowance.

Recommendations:

It is recommended that the encroachment application not be approved and:

- (1) That the owner(s) be directed to remove the existing encroachments and restore the City road allowance to its original condition satisfactory to the Commissioner of Works and Emergency Services; and
- (2) That the owner(s) obtain any permits necessary to effect the removal

The Toronto North Community Council also had before it the following communications, which are on file in the office of the City Clerk, North York Civic Centre:

- (May 3, 2004) from Ms. Kim Kovar, Aird & Berlis, on behalf of the applicant;
- (May 1, 2004) from Mr. Bruce Oward; and
- (April 23, 2004) from Geoffrey & Martha Fell.

Ms. Kim Kovar, Aird & Berlis, appeared before the Toronto North Community Council in connection with the foregoing matter, on behalf of the applicant.

- A. Councillor Jenkins, Ward 25 – Don Valley West, moved that the encroachment application be approved, subject to the following conditions:
- (1) no electrical system be installed below the heated driveway, walkway or steps;
  - (2) the steps to the forecourt be relocated so that the bottom step is located a minimum of 5 feet from the curb line;
  - (3) no irrigation system be permitted in the St. Leonard's Avenue frontage of the property; and
  - (4) the wooden fence located west of the oak tree located at the northern property line be removed.

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- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the Toronto North Community Council recommend to City Council, the adoption of the foregoing report.

A recorded vote on Motion A., by Councillor Jenkins, was as follows:

FOR: Councillor Jenkins

AGAINST: Councillors Moscoe, Stintz, Feldman, Augimeri, Filion, Shiner, Carroll, Pitfield, Minnan-Wong

ABSENT: Councillor LiPreti

Lost

A recorded vote on Motion B., moved by Councillor Moscoe, Ward 16 – Eglinton-Lawrence was as follows:

FOR: Councillors Moscoe, Stintz, Feldman, Augimeri, Filion, Shiner, Carroll, Pitfield, Minnan-Wong

AGAINST: Councillor Jenkins

ABSENT: Councillor LiPreti

Carried.

**(Report No. 4, Clause No. 23)**

Councillor Augimeri, Vice-Chair assumed the Chair.

**5.36 Ontario Municipal Board Hearing – Committee of Adjustment Application – 385 Hounslow Avenue (Ward 23 – Willowdale)**

The Toronto North Community Council had before it the following Resolution by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) approved an application by William Iacovetta, the owners of 385 Hounslow Avenue, for consent to sever one residential property fronting onto the south side of Hounslow Avenue into two residential properties having frontages of 9.9m each; and

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WHEREAS the Committee of Adjustment for the City of Toronto (North District) approved the two associated variance applications requesting variances for lot frontage and width, lot area, east and west side yard setbacks and lot coverage; and

WHEREAS the application have been appealed by an area resident; and

WHEREAS the Ontario Municipal Board has not yet set a date for hearing; and

WHEREAS staff did not report on the matter;

THEREFORE BE IT RESOLVED that Council direct the City solicitor to authorize City legal staff to retain outside Planning Support and attend the Ontario Municipal Board hearing to uphold the City's By-law and oppose the consent and minor variance applications."

On motion by Councillor Filion, Ward 23 - Willowdale, the Toronto North Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Filion, Ward 23 – Willowdale, the Toronto North Community Council recommended to City Council, the adoption of the foregoing Resolution.

**(Report No. 4, Clause No. 24)**

**5.37 Ontario Municipal Board Hearing – Committee of Adjustment Application – 65 Roberta Drive (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it the following Resolution by Councillor Moscoe, Ward 15 – Eglinton-Lawrence:

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Neil Speigel, the owner of 65 Roberta drive, for the consent to sever one residential property fronting onto the south-east side of Roberta Drive into two residential properties having frontages of 10.91m each; and

WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused the two associated variance applications requesting variances for lot frontage and width, lot area, north and south side yard setbacks and below grade garages; and

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WHEREAS the applicant has appealed the Committee's decisions to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board has not yet set a date for hearing; and

WHEREAS Planning staff only commented on the variances with respect to the below grade garages;

THEREFORE BE IT RESOLVED that Council direct the City solicitor to authorize City legal staff to retain outside Planning Support and attend the Ontario Municipal Board hearing to support the Committee's decision and uphold the City's By-law."

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Moscoe, 15 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council, the adoption of the foregoing Resolution.

**(Report No. 4, Clause No. 25)**

**5.38 Ontario Municipal Board Hearing – Committee of Adjustment Application – 1128 Castlefield Avenue (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it the following Resolution by Councillor Moscoe, Ward 15 – Eglinton-Lawrence:

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Ramazam Perk, the owner of 1128 Castlefield Avenue, for the conversion of the existing vacant building to be utilized for the purposes of selling and repairing used cars; and

WHEREAS variances were requested for existing side yard setbacks to the east and west and the proposed number of parking spaces provided on site; and

WHEREAS the applicant has appealed the Committee's refusal to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board has not yet set a hearing date; and

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WHEREAS staff did not report on the matter;

THEREFORE BE IT RESOLVED that Council direct the City solicitor to authorize City legal staff to retain outside Planning Support and attend the Ontario Municipal Board hearing to support the Committee's decision and uphold the City's By-law."

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council, the adoption of the foregoing Resolution.

**(Report No. 4, Clause No. 26)**

Councillor Minnan-Wong resumed the Chair.

Adjournment:

The Toronto North Community Council adjourned its meeting at 2:45 p.m. on Tuesday, May 4, 2004.

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Chair.