
**NORTH YORK COMMUNITY COUNCIL
AGENDA
MEETING 6**

Date of Meeting: July 5, 2005

Time: 9:30 a.m.

Location: Council Chambers
North York Civic Centre
5100 Yonge Street
Toronto, Ontario

Enquiry: Francine Adamo

Committee Administrator

416-395-0480

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Under the *Municipal Act, 2001*, the NORTH YORK COMMUNITY COUNCIL must adopt a motion to meet In-camera (privately) and the reason must be given.

Declarations of Interest under the *Municipal Conflict of Interest Act*

Confirmation of Minutes – (May 17, 2005 and May 31, 2005)

Speakers/Presentations:

9:30 a.m. – Item 1

9:45 a.m. – Items 2 – 4

10:00 a.m. – Items 5 - 6

10:15 a.m. – Items 7 – 9

10:30 a.m. – Item 10

10:45 a.m. – Item 11

2:00 p.m. – Item 30

2:15 p.m. – Item 31

Communications/Reports:

- 1.** Draft By-law – To Permanently Close a Portion of the Leslie Street Road Allowance (Ward 24 - Willowdale)

(Public Meeting under the *Municipal Act* – 9:30 a.m.)

- 1(a).** Communication (May 27, 2005) from the City Clerk, forwarding the following Motion, titled “Surplus Land Declaration and Proposed Road Closing – Portion of Leslie Street

Road Allowance”, which City Council, on May 17, 18 and 19, 2005, adopted, without amendment:

“J(17) Surplus Land Declaration and Proposed Road Closing – Portion of Leslie Street Road Allowance

Moved by Councillor Shiner, seconded by Councillor Feldman

WHEREAS the construction of the proposed Esther Shiner Boulevard and widening of Leslie Street is scheduled to start in the summer of 2005; and

WHEREAS to accommodate this work, the existing bridge connecting the North York General Hospital (‘NYGH’) and the Canadian College of Naturopathic Medicine (‘CCNM’) will be demolished and replaced with a new bridge; and

WHEREAS the new bridge will require construction of a new abutment on lands owned by NYGH; and

WHEREAS lands encumbered by the existing abutment, which form part of Leslie Street (the ‘Highway’) will be made available; and

WHEREAS Transportation Services staff has reviewed the feasibility of closing the Highway and has determined that the Highway can be closed and made available for the purpose of a possible exchange with NYGH; and

WHEREAS no other municipal purpose has been identified for these lands; and

WHEREAS the closing process requires three separate reports to City Council;

NOW THEREFORE BE IT RESOLVED THAT in order to meet the proposed construction schedule, City Council give consideration to the attached report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer, entitled ‘Surplus Land Declaration and Proposed Closing – Portion of Leslie Street Road Allowance’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

In adopting Motion J(17), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer:

“It is recommended that:

- (1) subject to compliance with the requirements of the Municipal Act, 2001, and subject to City Council approving the sale of the Highway, the Highway be permanently closed as a public highway;
- (2) subject to City Council approving the 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;
- (3) 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;
- (4) the Chief Corporate Officer be authorized to invite an offer to purchase the Highway from the North York General Hospital in exchange for lands owned by it; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any bills necessary to give effect thereto."

Council also considered the following:

- Report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer".

2. Request for Fence Exemption – 346 Riverview Drive (Ward 25 – Don Valley West)

(Speakers – 9:45 a.m.)

Report (June 2, 2005) from the North District Manager, Municipal Licensing & Standards, reporting on a request by the owner of 346 Riverview Drive, for an exemption from the City of Toronto Municipal Code Chapter 447 Fences.

Recommendation:

It is recommended that fence exemption application not be approved.

3. Encroachment Agreement – 499 Douglas Avenue (Ward 16 – Eglinton-Lawrence)

(Speakers – 9:45 a.m.)

Report (June 13, 2005) from the North District Manager, Municipal Licensing and Standards, reporting on a request by the property owners, Steven and Douglas Walters, to approve a landscaping encroachment on the municipal right-of-way at 499 Douglas Avenue.

Recommendations:

It is recommended that the encroachment be approved, subject to the following conditions:

- (1) that the owners enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing & Standards;
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) that no claims will be made against the City by the owners for damage occurring to the area of encroachment or its elements during snow removal;
- (4) that the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension, if requested by the applicant;
- (5) the indemnification of the City by the owners of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing & Standards;
- (7) the owners will, at their expense and to the satisfaction of the Executive Director of Municipal Licensing & Standards, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
- (8) that guards and handrails, where required, comply with current Ontario Building Code Standards;
- (9) the owners pay the following fees:

- (i) Legal Administration Cost and Registration, plus dispersments, including G.S.T.;
- (ii) Annual fee of \$3.46 per square metre, for 14.28 square metres, totalling \$49.41, plus G.S.T. for 2005.

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 first party ground sign at 120 Norfinch Drive (Ward 8 – York West)

(Speakers – 9:45 a.m.)

Report (June 18, 2005) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Arun Mather, on behalf of HCRI Ontario Inc., for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a first party 10' x 20' double faced V-shaped, illuminated ground sign at 120 Norfinch Drive.

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 permits.

5. Inclusion on the City of Toronto Inventory of Heritage Properties – 510 – 520 Sutherland Drive (Kilgour Estate Gates and Gatehouse) (Ward 26 – Don Valley West)

(Speakers – 10:00 a.m.)

Report (April 18, 2005) from the Director, Policy & Research, City Planning Division, recommending that City Council include the property at 510-520 Sutherland Drive (Kilgour Estate Gates and Gatehouse) on the City of Toronto Inventory of Heritage Properties.

Recommendations:

It is recommended that:

- (1) City Council include the property at 510-520 Sutherland Drive (Kilgour Estate Gates and Gatehouse) on the City of Toronto Inventory of Heritage Properties; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

5(a). Communication (May 18, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on May 12, 2005, deferred consideration of the report (April 18, 2005) from the Director, Policy and Research, City Planning Division, until its meeting on June 9, 2005.

5(b). Communication (June 10, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on June 9, 2005, recommended to the North York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (April 18, 2005) from the Director, Policy and Research, City Planning Division.

6. Intention to Designate under Part IV of the Ontario Heritage Act – 59 Wynford Drive (Bata International Building) (Ward 26 – Don Valley West)

(Speakers – 10:00 a.m.)

Report (May 13, 2005) from the Director, Policy & Research, City Planning Division, recommending that City Council state its intention to designate the property at 59 Wynford Drive (Bata International Building) under Part IV of the Ontario Heritage Act.

Recommendations:

It is recommended that:

- (1) City Council state its intention to designate the property at 59 Wynford Drive (Bata International Building) 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 any 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; and

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

6(a). Communication (June 10, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on June 9, 2005, deferred consideration of the report (May 13, 2005) from the Director, Policy and Research, City Planning Division, until the Special Meeting of the Board or the September 1, 2005 meeting of the Board at the request of the Owners.

7. Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit driveway widening for a second parking space at 143 Castlefield Avenue (Ward 16 – Eglinton-Lawrence)

(Speakers – 10:15 a.m.)

Report (June 10, 2005) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 143 Castlefield Avenue, which does not meet the requirements of the Code.

Recommendation:

The application for driveway widening for a second parking space at 143 Castlefield Avenue be denied.

7(a). Communication (May 26, 2005) from the Manager, Traffic Planning/Right-of-Way Management, addressed to Kacaba & Associates, advising that a report would be submitted to the North York Community Council to accommodate his request for an appeal.

8. Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to permit residential boulevard parking for two vehicles on the Mount Pleasant Road flank of 153 Golfdale Road (Ward 25 – Don Valley West)

(Speakers – 10:15 a.m.)

Report (June 14, 2005) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 313, Parking Licenses, of the former City of Toronto Municipal Code, to permit residential boulevard parking for two vehicles on the Mount Pleasant Road flank of 153 Golfdale Road, which does not meet the requirements of the Code.

Recommendation:

The application for residential boulevard parking for two vehicles on the Mount Pleasant Road flank of 153 Golfdale Road be denied.

9. Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit driveway widening for a second parking space at 349 Briar Hill Avenue (Ward 16 – Eglinton-Lawrence)

(Speakers – 10:15 a.m.)

Report (June 13, 2005) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 349 Briar Hill Avenue, which does not meet the requirements of the Code.

Recommendation:

The application for driveway widening for a second parking space at 349 Briar Hill Avenue be denied.

10. Community Safety Zone – Grandravine Drive (Ward 8 – York West and Ward 9 – York Centre)

(Speakers – 10:30 a.m.)

(Deferred from May 3, 2005 and May 31, 2005 meetings)

Report (March 29, 2005) from the Director, Transportation Services, North District, reporting on a request to introduce a Community Safety Zone on Grandravine Drive, Driftwood Avenue to Keele Street.

Recommendation:

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

10(a). Report (June 9, 2005) from the Director, Transportation Services, North York District, reporting on existing traffic conditions on Grandravine Drive, Keele Street to Driftwood Drive.

Recommendation:

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

11. Request for Removal of Post Road – Bridle Path Speed Bumps (Ward 25 – Don Valley West)

(Speakers – 10:45 a.m.)

(Referred back by City Council, at its meeting on June 14, 15 and 16, 2005)

Communication (June 22, 2005) from the City Clerk, advising that City Council, at its meeting on June 14, 15 and 16, 2005, referred Item (b), entitled “Request for Removal of Post Road – Bridle Path Speed Bumps (Ward 25 – Don Valley West)”, contained in Clause 51, back to the North York Community Council for further consideration:

“(b) Request for Removal of Post Road - Bridle Path Speed Bumps (Ward 25 – Don Valley West)

The North York Community Council:

- (1) deferred the request for the removal of speed bumps on Post Road – Bridle Path, as outlined in the communication (May 19, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Residents & Ratepayers Inc.
- (2) requested the Director, Transportation Services, North York District, to:
 - (a) meet with the local Councillor and ratepayers to review the speed hump pattern in the neighbourhood and consider replacing speed humps on one of the streets with an alternative set of turn and/or access restrictions that will limit transient traffic and at the same time clear a route through this neighbourhood for emergency vehicles; and
 - (b) include representatives from the Don Valley East Ratepayers and Residents Inc., the Don Mills Residents Inc., the Victoria Village Community Association and the O’Connor Hills Ratepayers Inc. in the consultation process;
- (3) requested the Director, Transportation Services, North York District, to submit a report, within six months, to the North York Community Council on:
 - (a) the original cost of installing the speed bumps in 1995;

- (b) the cost of removing any of the speed bumps;
 - (c) the cost of grinding down the speed bumps;
 - (d) the vehicle travel count on Lawrence Avenue East between The Bridle Path and Leslie Street;
 - (e) the Emergency Medical Services response on time differences during the A.M. and P.M. peak periods experienced by emergency vehicles in travelling to Sunnybrook Hospital from Lawrence Avenue East and Don Mills Road and using The Bridle Path and Eglinton Avenue East respectively;
 - (f) the Emergency Medical Services response on time differences during the A.M. and P.M. peak periods experienced by emergency vehicles in travelling to Sunnybrook using York Mills Road from the Don Mills community;
- (4) requested that the Trauma Unit at Sunnybrook Hospital be given the opportunity to provide their comments on this report;
 - (5) requested the local councillor provide notice to the local community when the report is considered by the North York Community Council; and
 - (6) requested that a letter be forwarded from the Chair, North York Community Council to the Works Committee requesting that all reports regarding the installation of speed humps include all comments received from all departments, especially Emergency Services.

The North York Community Council considered the following communication (May 19, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Residents & Ratepayers Inc.:

A delegation of four community organizations namely: Don Valley East Ratepayers & Residents Inc.; Don Mills Residents Inc.; Victoria Village Community Association; O'Connor Hills Ratepayers Inc.; wish to speak to having the speed bumps on the Post Road-Bridle Path permanent detour for Lawrence since 1929, removed.

Lawrence Avenue is the main east-west route through the heart of Don Mills and Scarborough; the only other east-west roads are Eglinton Avenue and York Mills Road that are 4 kilometres apart. Critically ill patients are at risk going to Sunnybrook Hospital because EMS Ambulance Paramedics will not take patients over these speed bumps for concerns about pain and further injury, but transport

them via Eglinton Avenue which takes an extra 5 to 7 minutes. This extra time can result in some cases, in unnecessary brain and heart damage.

The Post Road-Bridle Path is a “minor arterial road” with over 10,000 vehicles per day, with some 80% being “through traffic”, and according to the Toronto Road Classification should not have speed bumps.

The North York Community Council also considered a communication (May 25, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Residents & Ratepayers Inc., including a petition dated July 6, 2004 signed by 67 EMS Paramedics.

The following persons appeared before the North York Community Council:

- W. H. Winter, President, Don Valley East Ratepayers Association;
- Michael Dosman, President, Victoria Village Community Association;
- Gordon MacKendrick, Don Valley East Residents and Ratepayers Inc.;
and
- Terry West, Don Mills Residents Inc.

Scott Cowden, District Fire Chief, Emergency Management, Fire Services, responded to questions presented by Members of the North York Community Council

Recorded Votes:

A recorded vote on Recommendations (2)(b), (3), (3c), (3d), (3e), (4) and (5) moved by Councillor Minnan-Wong, was as follows:

FOR: Councillors Minnan-Wong, Augimeri, Stintz, Li Preti, Carroll, Pitfield

AGAINST: Councillors Moscoe, Filion, Jenkins

ABSENT: Councillors Feldman, Shiner

Carried

A recorded vote on Recommendation (2)(a) moved by Councillor Moscoe, was as follows:

FOR: Councillors Minnan-Wong, Augimeri, Stintz, Moscoe, Li Preti, Filion, Jenkins, Carroll, Pitfield

AGAINST: Nil

ABSENT: Councillors Feldman, Shiner

Carried.”

12. Two Way Centre Left Turn Lane/Lane Designations/Parking Prohibitions – Marlee Avenue, Roselawn Avenue to Lawrence Avenue West (Ward 15 – Eglinton-Lawrence)

Report (June 17, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to introduce a two-way centre turn lane, designate traffic lanes and prohibit parking.

Recommendations:

It is recommended that:

- (1) Schedule XIV of By-law No. 31001, of the former City of North York, be amended in order that the pavement markings on Marlee Avenue, from the southerly limit of Fairholme Avenue and the northerly limit of Briar Hill Avenue, can be modified to provide for one northbound traffic lane, one southbound traffic lane and a centre lane designated for northbound and southbound left turns only;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 7:00 a.m. to 6:00 a.m., Monday to Friday prohibition on both sides of Marlee Avneue, from the southerly limit of Lawrence Avenue West to the northerly limit of Glen Park Avenue;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibition on both sides of Marlee Avenue, from the southerly limit of Glen Park Avenue to the southerly limit of the former City of North York;
- (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking at anytime on both sides of Marlee Avenue, from the southerly limit of Lawrence Avenue West to the southerly limit of the former City of North York;

- (5) Schedule XIII of By-law 31001, of the former City of North York be amended by designating the easterly northbound traffic lane from Marlee Avenue, between the southerly limit of Lawrence Avenue West and a point 52 metres southerly thereof, be designated for right turns only;
- (6) A Road Alterations By-law be enacted to permit the widening of Marlee Avenue, between Lawrence Avenue West and Fairholme Avenue, as illustrated on Attachment 5;
- (7) The appropriate City Officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

13. Traffic Control Restrictions – Tribute Homes Development – TB SUB 2002 0002 - Murray Ross Parkway and Sentinel Road (Ward 8 – York West)

Report (June 17, 2005) from the Director, Transportation Services, North York District, reporting on introducing the required traffic by-laws to regulate the flow of traffic on the newly constructed roads within the Tribute Homes Development.

Recommendations:

It is recommended that:

- (1) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Bowsfield Road as a designated through street from the westerly limit of Leitch Avenue to the easterly limit of Sentinel Road;
- (2) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Cook Road as a designated through street from the westerly limit of Leitch Avenue to the easterly limit of Sentinel Road;
- (3) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Cook Road as a designated through street from the easterly limit of Delabo Drive Avenue to the westerly limit of Sentinel Road;
- (4) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Delabo Drive as a designated through street from southerly limit of Cook Road to the westerly limit of Sentinel Road;
- (5) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Leitch Avenue as a designated through street from southerly limit of Cook Road to the northerly limit of Murry Ross Parkway;

- (6) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Haynes Avenue as a designated through street from southerly limit of Cook Road to the northerly limit of Bowsfield Road;
- (7) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Haynes Avenue as a designated through street from southerly limit of Bowsfield Road to the northerly limit of Murry Ross Parkway;
- (8) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Herzberg Gardens as a designated through street from southerly limit of Bowsfield Road to the northerly limit of Murry Ross Parkway;
- (9) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Kidd Terrace as a designated through street from southerly limit of Cook Road to the northerly limit of Delabo Drive;
- (10) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Mansur Terrace as a designated through street from southerly limit of Bowsfield Road to the northerly limit of Murry Ross Parkway;
- (11) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'H' as a designated through street from easterly limit of Delabo Drive to the westerly limit of Kid Terrace;
- (12) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'N' as a designated through street from the southerly limit of Delabo Drive to the northerly limit of Murry Ross Parkway;
- (13) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'O' as a designated through street from the southerly limit of Cook Road to the northerly limit of Bowsfield Road;
- (14) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'T' as a designated through street from the easterly limit of Mansur Terrace to the westerly limit of Haynes Avenue;
- (15) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding Lane 'V' as a designated through street from the easterly limit of Haynes Avenue to the westerly limit of Herzberg Gardens;
- (16) Schedule XX of By-law No. 31001, of the former City of North York, be amended by adding Lane 'X' a designated through street from the easterly limit of Herzberg Gardems to the westerly limit of Leitch Avenue;

- (17) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Bowsfield Road from Sentinel Road to Leitch Avenue;
- (18) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Cook Road from Sentinel Road to Leitch Avenue;
- (19) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Cook Road from Sentinel Road to Delabo Drive;
- (20) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Delabo Drive from Sentinel Road to Cook Road;
- (21) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Haynes Avenue from Murry Ross Parkway to Cook Road;
- (22) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Herzberg Gardens Avenue from Murry Ross Parkway to Bowsfield Road;
- (23) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Leitch Avenue from Murry Ross Parkway to Cook Road; and
- (24) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by adding a “No Heavy Trucks at Anytime” prohibition on Mansur Terrace from Murry Ross Parkway to Bowsfield Road.

14. Parking Prohibitions – Princess Avenue (Ward 23 – Willowdale)

Report (June 17, 2005) from the Director, Transportation Services, North York District, seeking approval to amend the parking prohibitions on Princess Avenue.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibitions on the south side of Princess Avenue, from a point 35 metres east of the easterly limit of Gladys

Allison Place to a point 51 metres east of the easterly limit of Gladys Allison Place; 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 4:00 p.m., Monday to Friday on the south side of Princess Avenue from easterly limit of Gladys Allison Place to the westerly limit of Kenneth Avenue.

15. Parking Prohibitions – James Gray Drive, Patina Drive and Rondeau Drive (Ward 24 – Willowdale)

Report (June 20, 2005) from the Director, Transportation Services, North York District, seeking approval to prohibit parking on James Gray Drive, Patina Drive and Rondeau Drive.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 10:00 a.m. to 2:00 p.m. Monday to Friday, on both sides of James Gray Drive, from the westerly limit of Leslie Street to the westerly limit of Mallaby Road;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 10:00 a.m. to 2:00 p.m. Monday to Friday, on both sides of Patina Drive, from the southerly limit of Francine Drive to the northerly limit of McNicoll Avenue; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 10:00 a.m. to 2:00 p.m. Monday to Friday, on both sides of Rondeau Drive, from the northerly limit of Francine Drive to the end of the Cul-de-Sac.

16. School Bus Loading Zone – Yorkwoods Gate (Ward 8 – York West)

Report (June 17, 2005) from the Director, Transportation Services, North York District, seeking approval to amend the existing school bus loading zone on Yorkwoods Gate associated with Yorkwoods Public School.

Recommendation:

It is recommended that By-law No. 32759, of the former City of North York, be amended by deleting the school bus loading zone on the south side of Yorkwoods Gate, from a

point 117 metres east of the easterly limit of Jane Street to a point 29 metres easterly thereof.

17. Amending the Payment-in-Lieu of Parking Requirement for 1940 Avenue Road (Ward 16 – Eglinton-Lawrence)

Councillor Stintz, Ward 16 – Eglinton-Lawrence, submitting the following Motion, for consideration by the North York Community Council:

“WHEREAS the North Toronto Naturopathic Clinic (NTNC) is located at 1940 Avenue Road; and

WHEREAS the NTNC applied for a change to the permitted use of the building from retail to a naturopathic clinic; and

WHEREAS this change in use reduces the need for parking spaces on site; and

WHEREAS the Committee of Adjustment approved the Minor Variance Application No. A568/04M on September 23, 2004 on condition that the NTNC provide payment-in-lieu of parking; and

WHEREAS the Transportation Services Director reviewed the application and determined that “the parking deficiency assessed for the subject site resulting from the proposed use is 2 parking spaces” (Memorandum dated September 22, 2004); and

WHEREAS the nature of services provided by the NTNC require one hour sessions with clients; and

WHEREAS the one hour sessions will result in a maximum of approximately ten clients per day, resulting in less traffic generated and less parking required in order for the NTNC to operate their business; and

WHEREAS the site of the property is situated in an ideal location and is well served by on-street metered parking and an adjacent 97 space municipally operated lot; and

WHEREAS a number of neighbouring businesses and community residents have provided written support of the NTNC;

NOW THEREFORE BE IT RESOLVED THAT the Director of Transportation Services, North District review the requirement for payment-in-lieu of parking for the NTNC and report back to North York Community Council on September 20, 2005 with recommendations;

AND BE IT FURTHER RESOLVED THAT the payment-in-lieu of parking requirement deadline of September 20th, be extended until Council makes a final recommendation”.

18. Outstanding Capital Repairs and Security Issues at Mel Lastman Square (Ward 23 – Willowdale)

(Deferred from May 31, 2005 meeting)

Report (May 30, 2005) from the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation, reporting on the outstanding capital repairs and security issues at Mel Lastman Square.

Recommendations:

It is recommended that:

- (1) the Facilities and Real Estate (F&RE) and the Parks, Forestry and Recreation (PF&R) Divisions provide a list of outstanding capital repairs and security issues requiring a capital budget, to the future North York Community Council meeting, to be held on July 5, 2005; and
- (2) the F&RE and PF&R Divisions provide a further report to clarify responsibility for capital repairs for exterior spaces at the Civic Centres, City Hall and Metro Hall.

18(a). Report (June 16, 2005) from the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation, reporting on the outstanding capital repairs and security issues at Mel Lastman Square.

Recommendation:

It is recommended that this report be received for information.

19. Preliminary Report – Rezoning Application – 05 125830 NNY 23 OZ and Site Plan Application – 05 125819 NNY 23 SA – Adam Brown, Brown Dryer Karol – Pancon Design Group – 91, 93, 95, 97 and 99 Finch Avenue West (Ward 23 – Willowdale)

Report (June 17, 2005) from the Director, Community Planning, North District, 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.
- (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.

20. Preliminary Report – Rezoning Application – 05 128488 NNY 24 OZ – Daniels HR Corporation – Kirkor Architects & Planners – 603-611 Sheppard Avenue East & 9, 15, 17 Rean Drive & 6, 8, 10 Dervock Crescent (Ward 24 – Willowdale)

Report (June 1, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted application and seeking Community Council’s directions on further processing of the application and on the community consultation process.

Recommendations:

- (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.

21. Preliminary Report – Official Plan Amendment & Rezoning Applications – 05 132072 NNY 10 OZ – Nick Sampogna, 2007564 Ontario Ltd. – 920 – 922 Sheppard Avenue West (Ward 10 – York Centre)

Report (June 17, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted applications and seeking Community Council’s directions on further processing of the applications.

Recommendations:

It is recommended that notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

22. Preliminary Report – OPA & Rezoning Application – 05 108032 NNY 23 OZ – Franco Romano, Action Planning Consultants – Mastech Design – 2996 – 3004 Bayview Avenue (Ward 23 – Willowdale)

Report (June 17, 2005) from the Director, Community Planning, North District, 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.
- (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.

23. Preliminary Report – Rezoning Application – 03 035345 NNY 23 OZ – Site Plan Approval Application – 05 144186 NNY 23 SA – Elio Zoffranieri, Deltera Inc. – Burka Varacalli Architects – Portion of lands on the east side of Yonge Street between Byng Avenue and Church Avenue, and lands at 32 and 38 Byng Avenue (Ward 23 – Willowdale)

Report (June 21, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted application for a 30-storey residential and commercial building and a 10-storey residential and commercial building, 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.

24. Preliminary Report – Application to Amend the Zoning By-law – 05 132085 NNY 08 OZ and Draft Plan of Subdivision – 05 132092 NNY 08 SB – Walker, Nott, Dragicevic Associates Ltd. – 4700 Keele Street (Ward 8 – York West)

Report (June 14, 2005) from the Director, Community Planning, North District, 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.
- (2) Notice for the community consultation meeting be given to landowners and residents in accordance with the community consultation requirements of the York University Secondary Plan.
- (3) Notice for the Public Meeting under the Planning Act be given according to the regulations of the Planning Act and the policies of the York University Secondary Plan.

25. Final Report – Part Lot Control Application – 05 116464 NNY 23 PL – Frank Reiss, Terraventure Group – Donald E. Roberts Ltd., Ontario Land Surveyors – 55 & 61 Drewry Avenue (Ward 23 – Willowdale)

Report (June 14, 2005) from the Director, Community Planning, North District, reporting on recommending exemption from part lot control in order to allow for 16 townhouse dwelling units to be conveyed under separate ownership.

Recommendations:

It is recommended that:

- (1) the application be approved;
- (2) prior to enactment of the Part Lot Control Exemption By-law, the owner of the subject lands be required to register a Section 118 Restriction under the Land

Titles Act, to the satisfaction of the City Solicitor, 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 City Solicitor be authorized to take the necessary steps to allow for the removal of the Section 118 Restriction from title to the subject lands, upon receipt of confirmation that the Common Elements Condominium Plan has been registered;
- (4) staff obtain proof of payment of all current property taxes for the subject site from the owner prior to enactment of the Part Lot Control Exemption By-law;
- (5) the City Solicitor introduce the necessary Bill in Council to give effect to Recommendation 1 after such time as Recommendations 2 and 4 are satisfied, with such by-law to expire one year after it has been enacted; and
- (6) the appropriate City officials be authorized and directed to register the By-law on title.

26. Final Report – Extension of Part Lot Control Exemption – TB PLC 2002 0003 - 1379288 Ontario Limited – 4691 Bathurst Street, 500 Ellerslie Avenue, 47-51 Farrell Avenue (Ward 23 – Willowdale)

Report (June 2, 2005) from the Director, Community Planning, North District, reporting on a request for an exemption from Part Lot Control By-law 986-2003 in order that 60 townhouses may continue to be conveyed into separate ownership.

Recommendations:

It is recommended that:

- (1) the application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to Recommendation 1;
- (3) the By-law shall expire two years from the date of enactment;
- (4) prior to the introduction of Bills in Council, the owner shall confirm payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department; and,
- (5) the appropriate City Officials be authorized and directed to register the By-law on title.

27. Proposal Report – North York Centre Secondary Plan – Review of Density Incentives for Bicycle Storage (Wards 23 and 24 – Willowdale)

Report (June 17, 2005) from the Director, Community Planning, North District, reviewing and recommending next steps in the review of current policies in the North York Centre Secondary Plan regarding density incentives for bicycle storage.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community meeting in the fall of 2005 on the issues raised in this report;
- (2) notice for the community meeting be given to all relevant resident associations in the North York Centre Area and advertised in the local paper; and,
- (3) notice for a Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

28. Site Plan Control Application – 05 109993 NNY 25 SA – 63 Wimpole Avenue (Ward 25 – Don Valley West)

Report (June 15, 2005) from the Director, Community Planning, North District, reporting on a site plan control application for a single detached house at 63 Wimpole Drive. The proposal has been referred by Councillor Jenkins to City Council for a decision through North York Community Council.

Recommendations:

It is recommended that City Council:

- (1) Approve in principle the proposed single detached home as indicated on the drawings entitled Site and Grading Plan, prepared by RN Design dated June 7, 2005 and the Landscape Plan and the Tree Preservation Plan prepared by Schollen & Company dated May 25, 2005 subject to:
 - (a) the satisfaction of the following conditions prior to site plan approval:
 - provision of a security deposit for City-owned trees identified in Item 1 contained in Attachment 3
 - a completed application to remove private trees identified in Item 2 contained in Attachment 3

(b) the satisfaction of the following conditions to be fulfilled after site plan approval:

- the standard conditions for single detached dwellings identified as Items 3 to 10 in Attachment 3

(2) Authorize the Chief Planner or his designate to give final approval to the site plan when the two conditions required prior to site plan approval contained in Attachment 3 have been fulfilled.

28(a). Email (June 21, 2005) from Joel Goldman, requesting permission to address the Community Council respecting 63 Wimpole Drive.

29. Final Report – Removal of Holding (H) Symbol – 05 109109 NNY 34 OZ – English Lane Homes Inc. – 39 Green Belt Drive (Ward 34 – Don Valley East)

(Deferred from May 31, 2005 meeting)

Report (May 12, 2005) from the Director, Community Planning, North District, reviewing and recommending approval of an application to amend the Zoning By-law to lift the Holding Symbol provisions as they relate to a parcel of land at the southern portion of a residential plan of subdivision formerly known as 39 Green Belt Drive to accommodate an 8-storey, 192-unit apartment building.

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 7625 for the former City of North York to remove the Holding Symbol from the lands zoned RM6(85)(H) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2; and,
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

30. Final Report – Rezoning Application – 04 120202 NNY 23 OZ – Site Plan Application – 04 120210 NNY 23 SA – Tas Design Build – Core Architects Inc. – 19 Churchill Avenue (Ward 23 – Willowdale)

**(Public Meeting under the *Planning Act* – 2:00 p.m.)
(Deferred from May 31, 2005 meeting)**

Report (March 4, 2005) from the Director, Community Planning, North District, reviewing and recommending approval of applications to amend the Zoning By-law and Site Plan Approval for an 18 storey apartment building with 5 street-related townhouses at the south-west corner of Churchill Avenue and Canterbury Place.

Recommendations:

It is recommended 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. 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) require the owner, prior to introducing the necessary Bills to City Council for enactment, to:
 - (i) enter into a Section 37 Agreement to implement the following:
 - (a) density incentives of 232.5 m² for the provision of private amenity area for 19 Churchill Avenue;
 - (b) density incentives of 281 m² for the provision of bicycle storage for 19 Churchill Avenue;
 - (c) lands with an area of 1,275.30 m² (known municipally as 52 Horsham Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (d) lands with an area of 112.8 m² (known municipally as 33 Churchill Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (e) lands with an area of 1,440.5 m² (known municipally as 33 Churchill Avenue) for park purpose to be conveyed to the City for a nominal sum and free and clear of any encumbrances;

- (ii) convey to the City, part of Part xxx, Reference Plan xxx; and part of 27 Churchill Avenue, Part xxx, Reference Plan xxx; to the City for road purpose for the extension of Beecroft Road and Part xxx for road widening and corner rounding purpose on Churchill Avenue; and
 - (iii) convey to the City, Part xxx, Reference Plan xxx, (known municipally as 37 Churchill Avenue for parkland dedication; and
- (4) approve the plans and Conditions of Site Plan included as Attachment 10 and require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act based on the conditions and plans included as Attachment 10 prior to issuance of a building permit.

30(a). Supplementary report (April 29, 2005) from the Director, Community Planning, North District, providing a review of the Traffic Certification and providing an updated version of the draft zoning by-law.

Recommendations:

It is recommended that:

- (1) City Council amend the Zoning By-law for the former City of North York, substantially in accordance with the draft Zoning By-law Amendment (Attachment 1).
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Require the owner, prior to introducing the necessary Bills to City Council for enactment to:
 - (i) enter into a Section 37 Agreement to implement the following:
 - (a) density incentives of 231 m² for the provision of private amenity area for 19 Churchill;
 - (b) conveyance of lands with a density of 1,275 m² , Part of Lot 13, R.P. 2057, (known municipally as 52 Horsham Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (c) conveyance of lands with a density of 112.8 m² , Part 3 of Plan 66R-21671 (known municipally as 33 Churchill Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;

- (d) conveyance of lands with a density of 1,436.8 m² , Part 2 of Plan 66R-21671, (known municipally as 33 Churchill Avenue) for park purpose to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
- (e) a monetary contribution paid prior to enactment of the proposed zoning by-law amendment toward the cost of land acquisition for the North York Centre Service Road for the proposed 287 m² density incentive, in accordance with the provisions of the Official Plan Amendment 557.
- (f) The owner agrees to the following as depicted on Plans dated April 28, 2005 and red-lined April 29, 2005:
 - (1) Maximum of 107 storage lockers in underground parking levels, as shown on Plans A201, A202, and A202B
 - (2) Townhouse 01 with reduced basement level, as shown on Plan 202
 - (3) Outdoor landscaped amenity area and increased glazing at north-east corner of building on ground floor, as shown on red-lined Plan A203
 - (4) Mechanical space on ground and 2nd floors to be used exclusively for mechanical purposes, as shown on Plans A203 and A204
 - (5) Double-height lobby, as shown on Plan A204
 - (6) Floor to ceiling height of 4.5 metres for Unit 04 on the third floor, such ceiling height to apply to the entire area of the unit with the exception of the area 2 metres from the outside walls, which shall be 6 metres in height as shown on red-lined Plan A206.
- (ii) convey to the City, Part 2 of Plan 66R 21658 and Parts 4, 5, 7, 9, and 11 of Plan 66R 21671 to the City for service road, road widening and corner rounding purposes;
- (iii) convey to the City, Part 1 of Plan 66R-21671, (known municipally as 37 Churchill Avenue) for parkland dedication;
- (4) approve the plans and Conditions of Site Plan included as Attachment 5 and require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act based on the conditions and plans prior to issuance of a building permit.

30(b). Communication (June 17, 2005) from Marjory Arnott.

31. Final Report – Zoning Amendment Application – 04 121839 NNY 23 OZ – Canadawide Development Corporation – Sherman Brown - Simon West, In House Designs – 9 & 11 Clairtrell Road (Ward 23 – Willowdale)

(Speakers – 2:15 p.m.)

(Deferred from March 30, 2005 meeting)

Report (March 11, 2005) from the Director, Community Planning, North District, reviewing and recommending approval of an application to amend the Zoning By-law for a 17-unit townhouse development at 9 and 11 Clairtrell Road, north of Sheppard Avenue East and west of Bayview Avenue.

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 7625 for 9 & 11 Clairtrell Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (3) before introducing the necessary Bills to City Council for enactment, require the owner to have obtained Site Plan Approval under Section 41 of the Planning Act.

31(a). Status and Request for Direction Report (June 21, 2005) from the Director, Community Planning, North District, providing an update on the processing of the above project and seeking Council's direction with respect to the upcoming Ontario Municipal Board hearing.

Recommendations:

It is recommended that:

- (1) should City Council wish to support the development as set out in the recommendations for approval in the March 11, 2005 Final Report, the City Solicitor and the appropriate City staff be directed to attend at the Ontario Municipal Board in support of the Zoning and Site Plan Applications; or, alternatively
- (2) should City Council wish to not support the proposed development, the City Solicitor be directed to attend at the Ontario Municipal Board, along with any appropriate witnesses as may be deemed necessary by the City Solicitor, including if necessary outside consultants, in opposition to the proposed development as set out in the March 11, 2005 Final Report.



**NORTH YORK COMMUNITY COUNCIL
SUPPLEMENTARY AGENDA
MEETING 6**

Date of Meeting: July 5, 2005

Time: 9:30 a.m.

Location: Council Chambers
North York Civic Centre
5100 Yonge Street
Toronto, Ontario

Enquiry: Francine Adamo

Committee Administrator

416-395-0480

nycc@toronto.ca

The following material relates to items already listed on the main agenda.

30(c). Further Report – Rezoning Application – 04 120202 NNY 23 OZ – Site Plan Application – 04 120210 NNY 23 SA – Tas Design Build – Core Architects Inc. – 19 Churchill Avenue (Ward 23 – Willowdale)

Report (June 23, 2005) from the Director, Community Planning, North York District recommending approval of applications for zoning amendment and site plan approval for an 18 storey condominium building having a total of 156 units.

Recommendations:

It is recommended that:

- (1) City Council amend the Zoning By-law for the former City of North York, substantially in accordance with the draft Zoning By-law Amendment (Attachment 2);
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;
- (3) require the owner, prior to introducing the necessary Bills to City Council for enactment to:
 - (a) 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:

- (1) a minimum of 1.5 m² per dwelling unit of private indoor amenity area to be provided on site;
- (2) the Owner agrees to the following as depicted on Plans dated June 9, 2005:
 - (i) maximum of 160 storage lockers in underground parking levels;
 - (ii) mechanical space on ground and 2nd floors to be used exclusively for mechanical purposes;
 - (iii) double-height lobby space;
 - (iv) floor to ceiling height of 4.5 metres for third floor unit at north-east corner of building, such ceiling height to apply to the entire area of the unit with the exception of the area 2 metres from the outside walls, which shall be 6 metres in height;
 - (v) townhouse 05 has reduced basement level and reduced length;
- (3) lands with a density of 1,275 m² , Part of Lot 13, R.P. 2057, (known municipally as 52 Horsham Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances, prior to the enactment of the zoning by-law;
- (4) lands with a density of 112.8 m² , Part 3 of Plan 66R-21671 (known municipally as part of 33 Churchill Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances, prior to the enactment of the zoning by-law;
- (5) lands with a density of 1,436.8 m² , Part 2 of Plan 66R-21671, (known municipally as part of 33 Churchill Avenue) for park purpose to be conveyed to the City for a nominal sum and free and clear of any encumbrances, prior to the enactment of the zoning by-law;
- (6) a monetary contribution of \$114,635.00 toward the cost of land acquisition for the North York Centre Service Road for the proposed 332.8 m² density incentive, in accordance with the provisions of the Official Plan Amendment 557, prior to the enactment of the zoning by-law;

- (b) conveyance to the City, Part 2 of Plan 66R 21658 and Parts 4, 5, 7, 9, and 11 of Plan 66R 21671 to the City for service road, road widening and corner rounding purposes;
 - (c) conveyance to the City, Part 1 of Plan 66R-21671, (known municipally as 37 Churchill Avenue) for parkland dedication;
- (4) approve in principle the site plan as indicated on the drawings listed in Attachment 6, subject to the conditions of approval as listed in Attachment 6;
- (5) authorize the Chief Planner or his designate to give final approval to the site plan when the conditions to be satisfied prior to site plan approval as set out in Attachment 6 to this report have been fulfilled;
- (6) direct the City Solicitor to prepare and register the necessary site plan agreement;
- (7) authorize the District Director, Community Planning to execute the agreement.

ADDED ITEMS:

32. Encroachment Agreement Application – 1887 Avenue Road, North York (Ward 16 – Eglinton Lawrence)

(Speakers – 11:00 a.m.)

Report (June 21, 2005) from North District Manager, Municipal Licensing and Standards reporting on a request by the applicants, Daniel Johnson Architect Inc., for an encroachment agreement at 1887 Avenue Road, to permit two (2) awning canopies and a barrier-free accessible ramp to encroach onto City of Toronto road allowance.

Recommendations:

It is recommended that the encroachment be approved, subject to the following conditions:

- (1) that the owners enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the General Manager, Municipal Licensing and Standards;
- (2) that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

- (3) that no claims will be made against the City by the owners for damages occurring to the area of encroachment or its elements during snow removal;
- (4) that the life of the Agreement be limited to 5 years from the date of registration or to the date of the removal of the encroachment, at which time, the City may consider the Agreement for further extension, if requested by the applicant;
- (5) the indemnification of the City by the owners of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the General Manager, Municipal Licensing and Standards;
- (7) the owners will, at their expense and to the satisfaction of the General Manager, Municipal Licensing and Standards, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
- (8) that a Building Permit(s) be obtained, as necessary for the canopies or barrier free ramp; and
- (9) the owners pay the following fees:
 - (i) legal administration Cost and Registration, plus GST and Dispersments;
 - (ii) annual fee (rate adjusted annually) of \$3.46 per square metre, plus GST, totalling \$42.79, for 2005.

33. Encroachment Agreement – 21 De Vere Gardens, North York (Ward 16 – Eglinton-Lawrence)

(Speakers – 11:00 a.m.)

Report (June 23, 2005) from North District Manager, Municipal Licensing and Standards reporting on a request on behalf of the property owner(s), from Enza Schembre of Acme Environmentals Landscape Design Ltd., to approve a landscaping encroachment on the municipal right-of-way at 21 De Vere Gardens.

Recommendations:

It is recommended that the encroachment be approved, subject to the following conditions:

- (1) that the following concerns be addressed to the satisfaction of the Works, Transportation Services Division, District 3:
 - (a) no stairs or walkways leading to the road are permitted;
 - (b) existing stairs and railing to be relocated so as to not obstruct snow clearing operations on Felbrigg Avenue;
 - (c) no plantings to be within 4.5 metres of the road west of the front door;
 - (d) no plantings to be within 3 metres of the road east of the front door;
- (2) that the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing & Standards;
- (3) that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (4) that no claims will be made against the City by the owner(s) for damage occurring to the area of encroachment or its elements during snow removal;
- (5) that the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (6) the indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (7) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing & Standards;
- (8) the owner(s) will, at their expense and to the satisfaction of the Executive Director of Municipal Licensing & Standards, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
- (9) that guards and handrails where required comply with current Ontario Building Code standards; and

- (10) the owners pay the following fees:
- (i) Legal Administration Cost and Registration, plus dispersments, including G.S.T.;
 - (i) Annual fee of \$3.46 per square metre, for 150 square metres, totalling \$519., plus G.S.T. for 2005, (area of occupancy to be verified on completion and subject to a current survey plan being submitted).

34. Payment-In-Lieu of Parking: Owner – Maurice Afriat, Tortuga Holdings Agent – Adam Brown, Brown Dryer Karol, 1677 Avenue Road (Ward 16 – Eglinton-Lawrence)

(Speakers – 11:00 a.m.)

Report (June 27, 2005) from the Director, Transportation Services, North York District seeking approval to exempt the applicant from a parking deficiency of sixteen (16) spaces, subject to payment-in-lieu of parking.

Recommendations:

It is recommended that payment-in-lieu of parking of \$80,000.00 be approved for a deficiency of sixteen (16) parking spaces.

35. Traffic Management: Rosewell Avenue at Cheritan Avenue (Ward 16 – Eglinton-Lawrence)

Report (June 21, 2005) from the Director, Transportation Services, North York District seeking approval to remove the all way stop control, designate traffic movements through the traffic circle, and amend the parking/stopping regulations on Rosewell Avenue at Cheritan Avenue.

Recommendations:

It is recommended that:

- (1) stopping be prohibited at anytime on the inner perimeter of the traffic circle located at the Rosewell Avenue and Cheritan Avenue intersection;
- (2) stopping be prohibited at anytime on both sides of Rosewell Avenue, from a point 30 metres north of the northerly limit of the traffic circle at Cheritan Avenue to a point 30 metres south of the southerly limit of the traffic circle at Cheritan Avenue;

- (3) stopping be prohibited at anytime on both sides of Cheritan Avenue, from the westerly limit of the traffic circle at Rosewell Avenue to a point 25 east of the easterly limit of the traffic circle at Rosewell Avenue;
- (4) the No Parking at Any Time prohibition on both sides of Rosewell Avenue, from Lawrence Avenue West to Cheritan Avenue, be deleted;
- (5) parking be prohibited from 8:30 a.m. to 6:00 p.m. on the west side of Rosewell Avenue, from a point 30 metres north of the northerly limit of the traffic circle at Cheritan Avenue to a point 76 metres northerly thereof;
- (6) the existing stop controls for northbound, southbound and westbound traffic at the Cheritan Avenue and Rosewell Avenue intersection, be deleted;
- (7) traffic around the traffic circle at the Cheritan Avenue and Rosewell Avenue intersection be designated as a one-way/counter-clockwise;
- (8) the existing through street designation on Rosewell Avenue, between the north side of Glengrove Avenue West and the south side of Lawrence Avenue West, be deleted; and
- (9) appropriate City officials be authorized and directed to take the necessary action to implement the foregoing, including the introduction in Council of any Bills that may be required.