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**NORTH YORK COMMUNITY COUNCIL  
AGENDA  
MEETING 9**

**Date of Meeting:** October 12, 2004  
**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  
fadamo@toronto.ca

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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 – September 14, 2004

Deputations/Presentations – A complete list will be distributed at the meeting:

9:30 a.m. - Items 1 – 6  
10:00 a.m. - Items 7 - 14  
10:30 a.m. - Item 15 - 18  
2:00 p.m. - Item 34  
2:15 p.m. - Item 35  
2:30 p.m. - Item 36

**1. Request to Remove One City Owned Tree – 168 Bedford Park Avenue (Ward 16 – Eglinton-Lawrence)**

(Deputation Item – 9:30 a.m.)  
(Deferred from September 14, 2004 meeting)

Report (August 9, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request to remove one City owned tree situated on the City road allowance adjacent to the above noted property.

Recommendations:

It is recommended that:

- (1) the request for removal of one City owned tree at 168 Bedford Park Avenue be denied; or
- (2) the request for the removal of one City owned tree located at 168 Bedford Park Avenue be approved subject to:
  - (i) the applicant paying all applicable costs and complying with all other requirements as set out in City of Toronto Municipal Code, Chapter 813, Trees, Article II; and
  - (ii) the subject tree not being removed until permitted construction and/or demolition related activities in accordance with plans commence and warrant the destruction of the tree; and
  - (iii) the applicant planting one 70-mm replacement tree to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
  - (iv) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$588.00 to cover the costs of removal, replacement and maintenance of the 70-mm tree planted on City property.

**2. Request to Remove One City Owned Tree – 360 Joicey Boulevard – (Ward 16 – Eglinton-Lawrence)**

**(Deputation Item – 9:30 a.m.)**

**(Deferred from September 14, 2004 meeting)**

Report (August 9, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request to remove one City owned tree situated on the City road allowance adjacent to the above noted property.

Recommendations:

It is recommended that:

- (1) the request for the removal of one City owned tree at 360 Joicey Boulevard be denied; or

- (2) the request for the removal of one City owned tree located at 360 Joicey Boulevard be approved, subject to:
- (i) the applicant paying all applicable costs and complying with all other requirements as set out in City of Toronto Municipal Code, Chapter 813, Trees, Article II; and
  - (ii) the subject tree not being removed until permitted construction and/or demolition related activities in accordance with plans commence and warrant the destruction of the tree; and
  - (iii) the applicant paying a \$588.00 fee to cover the costs of planting and maintaining a 70-mm tree planted on City property, elsewhere within North District, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.

**3. Request for Fence Exemption – 14 Breen Crescent (Ward 25 – Don Valley West)**

**(Deputation Item – 9:30 a.m.)**

**(Deferred from June 8, 2004 and September 14, 2004 meetings)**

Report (March 22, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by the owner for an exemption from the City of Toronto's Municipal Code Chapter 447 Fences, in order to exempt the rear and side yard fences from the maximum allowable height limitation of 2 metres.

Recommendation:

It is recommended that the application not be approved.

**4. Request for Fence Exemption – 77 Steeles Avenue West (Ward 24 – Willowdale)**

**(Deputation Item – 9:30 a.m.)**

Report (September 12, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by the owner for an exemption from the City of Toronto Municipal Code Chapter 447 Fences, in order to exempt parts of their perimeter fence from the required maximum height.

Recommendation:

It is recommended that the application not be approved.

**5. Natural Garden Exemption Request – Toronto Municipal Code, Chapter 489 – Albert Frey – 453 Elm Road (Ward 16 – Eglinton-Lawrence)**

**(Deputation Item – 9:30 a.m.)  
(Deferred from September 14, 2004 meeting)**

Report (August 16, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request for a natural garden exemption for 453 Elm Road, received in response to a notice served requiring that long grass and weeds be cut.

Recommendations:

It is recommended that:

- (1) Community Council not grant the exemption;
- (2) The Notice issued under Toronto Municipal Code Chapter 489, Long Grass and Weeds, in relation to 453 Elm Road, be confirmed; and
- (3) Community Council direct that a second Notice be given under the Chapter requiring compliance.

**6. Natural Garden Exemption Request - Toronto Municipal Code, Chapter 489 – 9 Legacy Court (Ward 25 – Don Valley West)**

**(Deputation Item – 9:30 a.m.)**

Report (September 13, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request for a natural garden exemption for 9 Legacy Court, received in response to a notice served requiring that long grass and weeds be cut.

Recommendations:

It is recommended that:

- (1) Community Council not grant the exemption;
- (2) The Notice issued under Toronto Municipal Code Chapter 489, Long Grass and Weeds, in relation to 9 Legacy Court, be confirmed; and
- (3) Community Council direct that a second Notice be given under the Chapter requiring compliance.

**7. Request for variances from the former Borough of East York Sign By-law No. 64-87, as amended, for the erection of an electronic message display unit attached to a ground sign at 21 Research Road (Ward 26 – Don Valley West)**

**(Deputation Item – 10:00 a.m.)**

**(Deferred from September 14, 2004 meeting)**

Report (August 25, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Dominic Rotundo, on behalf of his client “StorageNOW Holdings Inc.” for a variance from the former Borough of East York Sign By-law No. 64-87, as amended, to permit the erection of an electronic message display unit to be attached to an existing ground sign at the above location.

Recommendation:

It is recommended that the request for the variance to allow the electronic message centre be refused.

**8. Request for a variance from the former City of North York Sign By-law, as amended, for the erection of two ground signs at 2275 Bayview Avenue (Ward 25 – Don Valley West)**

**(Deputation Item – 10:00 a.m.)**

**(Deferred from September 14, 2004 meeting)**

Report (August 25, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Albert Kruger of A-Tec Signs on behalf of York University, for variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of two ground signs at the above location.

Recommendations:

It is recommended that:

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

**9. Request for Variances 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 788 Marlee Avenue (Ward 15 – Eglinton-Lawrence)**

**(Deputation Item – 10:00 a.m.)**

**(Deferred from September 14, 2004 meeting)**

Report (August 27, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Roy Dzeko of Astral Media Outdoor, on behalf of the Toronto Zionist Council, for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a double faced (one face 10 feet by 35 feet and on 10 feet by 20 feet) illuminated off premise billboard roof sign.

Recommendation:

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

**10. Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of a projecting sign at 5095 Yonge Street (Ward 23 – Willowdale)**

**(Deputation Item – 10:00 a.m.)**

**(Deferred from September 14, 2004 meeting)**

Report (August 30, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Renny Cannon of Daniel Johnson Architect Inc., on behalf of Best Buy Canada Limited for variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of 8.64 metres (28 feet 4 inches) tall illuminated projecting sign at 5095 Yonge Street.

Recommendation:

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

**11. Request for Approval of Variance from the former City of Toronto Sign By-law No. 297, as amended, to permit the display of a painted mural at 2454 Yonge Street (Ward 16 – Eglinton-Lawrence)**

**(Deputation Item – 10:00 a.m.)**

Report (September 27, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Ivan Martinovic of Arch Design Architects, on behalf of Sporting Life Inc., for a variance from the former City of Toronto Sign By-law No. 297, as amended, to permit the display of a painted mural at the above location.

Recommendation:

It is recommended that the request for the sign variance be approved.

**12. Request for Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a pylon sign on public property adjacent to 2 Neptune Drive (Ward 15 – Eglinton-Lawrence)**

**(Deputation Item – 10:00 a.m.)**

Report (September 27, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Arthur Landa of the Associated Hebrew School of Toronto, for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a pylon sign on public property adjacent to 2 Neptune Drive.

Recommendations:

It is recommended that:

- (1) The request for variance be approved for the reasons outlined in this report and:
  - (a) the applicant must enter into a lease agreement with the City of Toronto,
  - (b) a timer shall be installed, to switch off illumination on the north side of sign between 10:00 PM and 6:00 AM daily,
  - (c) the applicant be advised of the requirements to obtain the necessary sign permit from the Commissioner of Urban Development Services.

**13. Inclusion on the City of Toronto Inventory of Heritage Properties – 2130 Bayview Avenue (William Booth Memorial College) (Ward 25 – Don Valley West)**

**(Deputation Item – 10:00 a.m.)**

Report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending that Council include the property at 2130 Bayview Avenue (William Booth Memorial College) on the City of Toronto Inventory of Heritage Properties.

Recommendations:

It is recommended that:

- (1) Council include the property at 2130 Bayview Avenue (William Booth Memorial College) 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.

- 13(a).** Communication (September 23, 2004) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting held on September 23, 2004, postponed consideration of the report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism until the February 2005 meeting of the Toronto Preservation Board, subject to the Manager, Heritage Preservation Services, getting an undertaking from the Salvation Army that there will be no demolition of the property at that time.

**14. Alterations to a Designated Heritage Building and Request for Authority to Enter into a Heritage Easement Agreement – 56 Blythwood Road (Herbert Elgie House) (Ward 25 – Don Valley West)**

**(Deputation Item – 10:00 a.m.)**

Report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request for permission to alter a building designated under Part IV of the Ontario Heritage Act in order to permit minor alterations to the exterior and request authority from Council to enter into a Heritage Easement Agreement.



Recommendations:

It is recommended that:

- (1) Council approve the proposed exterior alterations substantially in accordance with the plans by Catherine Nasmith Architect, dated August 25, 2004;
- (2) authority be granted by City Council for the execution of a Heritage Easement Agreement (HEA) for the Herbert Elgie House located at 56 Blythwood Road under Section 37 of the *Ontario Heritage Act* with the owner of the subject property, using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**14(a).** Communication (September 23, 2004) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on September 23, 2004, recommended to the North York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism.

**15. Request for Driveway Entrance Widening – 17 Rollscourt Drive (Ward 25 – Don Valley West)**

**(Deputation Item – 10:30 a.m.)**

Report (September 20, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for a circular driveway entrance widening from 3.1 metres to 4.7 metres at the west driveway entrance at 17 Rollscourt Drive.

Recommendation:

It is recommended that the request for a variance to the Driveway Entrance Policy be approved.

**16. Request to Maintain a Driveway Entrance – 55 Anndale Drive (Ward 23 – Willowdale)**

**(Deputation Item – 10:30 a.m.)**

Report (September 20, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to maintain a 5.2 metre driveway entrance on the Burnwell Avenue flank of 55 Anndale Drive.

Recommendation:

It is recommended that the request for a variance to the Driveway Entrance Policy be denied.

**17. Request for Driveway Entrance Widening – 338 Byng Avenue (Ward 23 – Willowdale)**

**(Deputation Item – 10:30 a.m.)**

Report (September 17, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for a driveway entrance widening from 6.0 metres to 7.6 metres at 338 Byng Avenue.

Recommendation:

It is recommended that the request for a variance to the residential driveway entrance policy be approved.

**18. Payment-In-Lieu of Parking – Foresight Corporate Communications Inc. – 15 Glenforest Road (Ward 25 – Don Valley West)**

**(Deputation Item – 10:30 a.m.)**

Report (September 27, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking Council's approval to exempt the applicant from the Toronto Zoning By-law 438-86 requirement of five parking stalls, conditional upon payment-in-lieu of parking.

Recommendations:

It is recommended that:

- (1) Council exempt the applicant from the Toronto Zoning By-law 438-86 parking requirement of five stalls;

- (2) the applicant enter into an Agreement with the City of Toronto for the payment-in-lieu of five parking stalls, which in this case amounts to \$12,500.00; and,
- (3) the appropriate City Officials be requested to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that may be required.

**19. Permitted Parking Amendments – Little Boulevard (Ward 15 – Eglinton-Lawrence)**

**(Deferred from July 6, 2004 meeting)**

Report (June 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to amend the existing parking restrictions on Little Boulevard.

Recommendations:

It is recommended that:

- (1) the former City of York Traffic By-law numbers 196-84 and 2958-94 be amended by deleting the one hour permitted parking from 8:00 a.m. to 7:00 p.m., on the east side of Little Boulevard, from the southerly limit of Bowie Avenue to the northerly limit of Eglinton Avenue West; and
- (2) the appropriate City Officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

**20. Proposed Construction of Encroaching Covered Porch and Steps – Divadale Drive Flank of 305 Laird Drive (Ward 26 – Don Valley West)**

**(Deferred from September 14, 2004 meeting)**

Report (August 23, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to construct a covered porch a portion of which will encroach 0.4 metres within the public right-of-way and steps which encroach an additional 0.7 metres within the public right-of-way.

Recommendations:

It is recommended that:

- (1) City Council approve the construction of the covered porch and steps on the Divadale Drive flank of 305 Laird Drive subject to the property owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
  - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form approved by the Chief Financial Officer and Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer may require;
  - (b) maintain the porch and steps at the owner's expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and will not make any additions or modifications to the encroachments beyond what is allowed under the terms of the Agreement;
  - (c) remove the covered porch and steps upon receiving 90 days notice to do so;
  - (d) that the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachments, at which time, the City may consider the Agreement for further extension if requested by the applicant;
  - (e) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City; and
- (2) in the event of sale or transfer of the property abutting the encroachment, Legal Services and/or the Commissioner of Works and Emergency Services be authorised to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Works and Emergency Services.

## **21. Parking Prohibitions – Muirhead Road (Ward 33 – Don Valley East)**

Report (September 27, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing parking and stopping regulations on Muirhead Road, in the vicinity of Muirhead 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 Anytime prohibition on the west side of Muirhead Road, from a point 76.25 metres north of the northerly limit of Old Sheppard Avenue to a point 183 metres north of the northerly limit of Old Sheppard Avenue;
- (2) 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 east side of Muirhead Road, from the northerly limit of Old Sheppard Avenue to a point 198.25 metres north of the northerly limit of Old Sheppard Avenue;
- (3) Schedule X of By-law No. 31001, of the former City of North York, be amended to permit parking for maximum periods of 15 minutes between the hours of 8:00 a.m. and 4:00 p.m., Monday to Friday, on the east side of Muirhead Road, from a point 15 metres north of the northerly limit of Old Sheppard Avenue to a point 80 metres northerly thereof;
- (4) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the east side of Muirhead Road, from a point 95 metres north of the northerly limit of Old Sheppard Avenue to a point 15 metres northerly thereof;
- (5) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the west side of Muirhead Road, from a point 76 metres north of the northerly limit of Old Sheppard Avenue to a point 107 metres northerly thereof;
- (6) By-law No. 32759, of the former City of North York, be amended by installing a school bus loading zone on the east side of Muirhead Road, from a point 125 metres north of the northerly limit of Old Sheppard Avenue to a point 150 metres north of the northerly limit of Old Sheppard Avenue; and
- (7) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the east side of Muirhead Road, from a point 150 metres north of the northerly limit of Old Sheppard Avenue to a point 50 metres northerly thereof.

## **22. Parking Regulations – Eglinton Valley Subdivision (Ward 26 – Don Valley West)**

Report (September 27, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing parking regulations on Ferrand Drive, Windom Road, Seton Park Road and Wilket Creek Road.

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 at anytime prohibition on the west, north and east sides of Ferrand Drive, between the northerly limit of Rochefort Drive and the northerly limit of Deauville Lane;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east, south and west sides of Ferrand Drive, from the northerly limit of Rochefort Drive (west leg) to the northerly limit of Rochefort Drive (east leg);
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the south side of Windom Road, from the easterly limit of Ferrand Drive (west leg) to the westerly limit of Ferrand Drive (east leg);
- (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the north side of Windom Road, from 8:00 a.m. to 6:00 p.m., Monday to Friday, except public holidays, from the easterly limit of Ferrand Drive (west leg) to the westerly limit of Ferrand Drive (east leg);
- (5) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the south side of Seton Park Road, from the easterly limit of Ferrand Drive (west leg) to the westerly limit of Ferrand Drive (east leg);
- (6) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the north side of Seton Park Road, from 8:00 a.m. to 6:00 p.m., Monday to Friday, except public holidays, from the easterly limit of Ferrand Drive (westleg) to the westerly limit of Ferrand Drive (east leg);
- (7) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at any time on the north and west sides of Wilket Creek Road, from the easterly limit of Ferrand Drive (west leg) to the southerly limit of Seton Park Road;
- (8) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the south and east sides of Wilket Creek Road, from 8:00 a.m. to 6:00 p.m., Monday to Friday, except public holidays, from the easterly limit of Ferrand Drive (west leg) to the southerly limit of Seton Park Road;

- (9) the provision of on-street parking meters on the east, south and west sides of Ferrand Drive (inside perimeter) be deleted; and
- (10) that the installation of parking meters be approved, operational between the hours of 8:00 a.m. and 6:00 p.m., Monday to Friday, except public holidays, on the west, north and east sides of Ferrand Drive, between the northerly limit of Rochefort Drive (west leg) and the northerly limit of Rochefort Drive (east leg), and that the Toronto City Solicitor be directed to prepare the appropriate bills

**23. 40 km/h Speed Zone – Reiner Road, Faywood Boulevard to Yeomans Road  
(Ward 10 – York Centre)**

Report (September 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to reduce the speed limit on Reiner Road 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 Reiner Road, from the easterly limit of Faywood Boulevard to the westerly limit of Yeomans Road, to 40 km/h.

**24. Parking Prohibitions – Yonge Boulevard (Ward 16 – Eglinton-Lawrence)**

Report (September 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to amend the existing parking regulations on the north/east side of Yonge Boulevard.

Recommendations:

It is recommended that:

- (1) Schedule XXIII of By-law No. 400-76, of the former City of Toronto, be amended by deleting the No Parking, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday, prohibition on the east side of Yonge Boulevard, from Yonge Street to the north City limit;
- (2) Schedule XXV of By-law No. 400-78, of the former City of Toronto, be amended by deleting the 60 Minute Permitted Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday, on the east side of Yonge Boulevard, from Yonge Street to the north City limit;
- (3) Schedule XXIII of By-law No. 400-76, of the former City of Toronto, be amended by installing No Parking, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00

p.m., Monday to Friday, prohibitions on the east side of Yonge Boulevard, from a point 82.0 metres north of the westerly limit of Yonge Street to a point 48.0 metres north of the northerly limit of Mc Nairn Avenue;

- (4) Schedule XXV of By-law No. 400-78, of the City of Toronto, be amended by installing 60 Minute Permitted Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday, on the east side of Yonge Boulevard, from a point 82.0 metres north of the westerly limit of Yonge Street to a point 48.0 metres north of the northerly limit of Mc Nairn Avenue; and
- (5) Schedule XXIII of By-law No. 400-76, of the City of Toronto, be amended by installing No Parking Anytime prohibitions on the north/east side of Yonge Boulevard, from the westerly limit of Yonge Street to a point 82.0 metres west/north of the westerly limit of Yonge Street.

**25. Turn Prohibitions – 1451 Avenue Road (Havergal College) (Ward 16 – Eglinton-Lawrence)**

Report (September 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to prohibit traffic movements to/from Havergal College at Avenue Road.

Recommendations:

It is recommended that:

- (1) southbound left turns be prohibited at anytime from Avenue Road into the driveway located approximately 214 metres south of Lawrence Avenue West, on the east side of Avenue Road;
- (2) westbound left turns be prohibited at anytime onto Avenue Road from the driveway located approximately 214 metres south of Lawrence Avenue West, on the east side of Avenue Road; and
- (3) the appropriate by-laws be amended accordingly.

**26. All Way Stop Control – Radine Road and Stuart Avenue (Ward 23 – Willowdale)**

Report (September 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to install an all way stop control at the intersection of Radine Road and Stuart 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 the intersection of Radine Road and Stuart Avenue.

**27. Amendments to Parking Prohibitions – Jainey Place (Ward 16 – Eglinton-Lawrence)**

Report (September 7, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to amend the current parking restrictions on Jainey Place.

Recommendation

It is recommended that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibitions on both sides of Jainey Place, from the southerly limit of Joicey Boulevard to the northerly limit of Haddington Avenue.

**28. All Way Stop Control – Englemount Avenue and Hillmount Avenue (Ward 15 – Eglinton-Lawrence)**

Report (September 7, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to install an all way stop control at the intersection of Englemount Avenue and Hillmount 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 the intersection of Englemount Avenue and Hillmount Avenue.

**29. Parking Prohibitions – Dunblaine Avenue (Ward 16 – Eglinton-Lawrence)**

Report (September 27, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to amend the current parking restrictions on Dunblaine Avenue.

Recommendation:

It is recommended that Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 8:30 a.m. to 6:00 p.m., Monday to Friday, prohibitions on north side of Dunblaine Avenue, from the westerly limit of Kelso Street to a point 131 metres west of Kelso Street.

**30. School Bus Loading Zone – Ness Drive (Ward 34 – Don Valley East)**

Report (September 27, 2004) from the Director, Transportation Services, North District, Works and Emergency Services on amending the limits of the existing school bus loading zone on Ness Drive, adjacent to Saint Madeline and Saint Isaac Jogues Catholic School.

Recommendations:

It is recommended that:

- (1) By-law No. 32759, of the former City of North York, be amended by deleting the school bus loading zone on the east side of Ness Drive, from a point 61 metres north of the northerly limit of York Mills Road to a point 61 metres northerly thereof; and
- (2) By-law No. 32759, of the former City of North York, be amended by installing a school bus loading zone on the east side of Ness Drive, from a point 35 metres north of the northerly limit of York Mills Road to a point 72 metres northerly thereof.

**31. Request for Poll – Speed Hump Plan – Hillmount Avenue between Dalemout Avenue and Shermount Avenue (Ward 15 – Eglinton-Lawrence)**

Councillor Moscoe, Ward 15 – Eglinton-Lawrence, submitting the following Resolution for consideration by the North York Community Council:

“WHEREAS residents of Hillmount Ave between Dalemout and Shermount Ave have expressed concern with regards to vehicle speeds on the roadway; and

WHEREAS residents of Hillmount Ave between Dalemout and Shermount Ave have expressed concern with regards to the volume of traffic on the roadway;

THEREFORE BE IT RESOLVED THAT the appropriate staff be authorized to conduct a poll of eligible residents of Hillmount Ave between Dalemount and Shermount Ave for the speed hump plan, in accordance with the City of Toronto Traffic Calming Policy and public notice be given pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Services and Toronto Police Services; and

BE IT FURTHER RESOLVED THAT the appropriate staff convey the results of the survey to the respondents; and

BE IT FURTHER RESOLVED THAT subject to favourable results of the poll:

- (i) a bylaw be prepared for the alteration of sections of the effected roadway and the speed limit be reduced to 30Km/hr; and
- (ii) Pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and

BE IT FURTHER RESOLVED THAT 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.”

### **32. Property Standards Inspection – North York Civic Centre**

**(Deferred from September 14, 2004 meeting)**

Memorandum (September 9, 2004) from Municipal Standards Officer, Municipal Standards, Licensing & Standards, Urban Development Services, addressed to the North York Civic Centre Ad Hoc Building Committee, responding to the request outlined in Clause 41 of North York Community Council Report 6, headed “Deterioration of North York Civic Centre.”

- 32(a).** Report from Commissioner of Corporate Services and Commissioner of Economic Development, Culture and Tourism.

(Report Not Yet Available)

### **33. Preliminary Report – Application to Amend the Zoning By-law – 04 169386 NNY 09 OZ – Independence Way Inc. – 2701 Keele Street (Ward 9 – York Centre)**

Report (September 27, 2004) from the 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.

**34. Residential Demolition Applications – 04 161 245, 04 161 249, 04 161 256, 04 161 261, 04 161 266, 04 161 271 – Brydale Developments (Orchard View) Inc. – 58 to 68 Orchard View Boulevard and 439 to 441 Duplex Avenue (Ward 16 – Eglinton-Lawrence)**

Report (September 24, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on applications to demolish 6 semi-detached residential units at 58 to 68 Orchard View Boulevard and 439 to 441 Duplex Avenue, pursuant to Section 33 of the *Planning Act* and the City of Toronto Act, 1984, 1985 and 1991.

Recommendations:

It is recommended that:

- (1) City Council refuse the applications to demolish the 6 semi-detached residential units at 58 to 68 Orchard View Boulevard and 439 to 441 Duplex Avenue.
- (2) the City Solicitor and any other appropriate staff be authorized and directed to oppose any appeal of Council's refusal of the applications to the Ontario Municipal Board.
- (3) City Officials be authorized and directed to take the necessary actions to give effect thereto.

**35. Final Report – Rezoning Application – 03 166761 NNY 24 OZ – Louis Zoppi – Marco Marquette Architect – 202 Finch Avenue East (Ward 24 – Willowdale)**

**(Public Meeting under the *Planning Act* – 2:00 p.m.)  
(Deferred from September 14, 2004 meeting)**

Report (August 20, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit redevelopment of the site with two semi-detached units at 202 Finch Avenue East.

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. 5.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) before introducing the necessary Bills to City Council for enactment, require the owner to:
  - (a) convey or cause to be conveyed to the City for dedication as public highway for a nominal sum, free of all encumbrances, a 4.9 metre road widening;
  - (b) obtain Site Plan approval under section 41 of the Planning Act from the Director, Community Planning, North District.

**36. Final Report – OPA & Rezoning Application 04 107243 NNY 23 OZ – Sterling (Finch) Group Inc. – Rafael & Bigauskas Architects – 203, 205 and 215 Finch Avenue East (Ward 23 – Willowdale)**

**(Public Meeting under the *Planning Act* – 2:15 p.m.)**

Report (September 27, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law to permit 18, 3-storey townhouses at 203, 205 and 215 Finch Avenue East.

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 Amendments attached as No. 10.
- (2) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 11.
- (3) 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. 12.
- (4) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-law Amendment as may be required.
- (5) before introducing the necessary Bills to City Council for enactment, the owner is required:
  - (i) obtain site plan approval from the Director, Community Planning, North District, under Section 41 of the *Planning Act* and;
  - (ii) convey to the City, for a nominal sum and free and clear of encumbrances, a road widening measuring approximately 4.89 metres along the Finch Avenue East frontage.

**37. Direction Report - Application to Amend the Official Plan and Zoning By-law – 04 109551 NNY 23 OZ – Rosedale Developments Inc., E.I. Richmond Architects and Kohn Shnier Architects - 4917-4975 Yonge Street, 8-18 and 50 Spring Garden Avenue and 11-27 Hollywood Avenue (Ward 23 – Willowdale)**

**(Deputation Item – 2:30 p.m.)**

(Report Not Yet Available)



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**NORTH YORK COMMUNITY COUNCIL  
SUPPLEMENTARY AGENDA  
MEETING 9**

<b>Date of Meeting:</b>	<b>October 12, 2004</b>	<b>Enquiry:</b>	<b>Francine Adamo</b>
<b>Time:</b>	<b>9:30 a.m.</b>		<b>Committee Administrator</b>
<b>Location:</b>	<b>North York Civic Centre</b>		<b>(416) 395-7348</b>
	<b>Council Chamber</b>		<b>fadam@toronto.ca</b>
	<b>5100 Yonge Street, Lower Level</b>		

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

- 13. Inclusion on the City of Toronto Inventory of Heritage Properties – 2130 Bayview Avenue (William Booth Memorial College) (Ward 25 – Don Valley West)**
- 13(b).** Communication (September 30, 2004) from Denise Gendron, Manager, Preservation Services, Heritage Preservation Services, Economic Development, Culture and Tourism, requesting a deferral to the March 2005 meeting.
- 34. Residential Demolition Applications – 04 161 245, 04 161 249, 04 161 256, 04 161 261, 04 161 266, 04 161 271 – Brydale Developments (Orchard View) Inc. – 58 to 68 Orchard View Boulevard and 439 to 441 Duplex Avenue (Ward 16 – Eglinton-Lawrence)**
- 34(a).** Communication (October 7, 2004) from Peter Tanenbaum, Brydale Developments (Orchardview) Inc.
- 36. Final Report – OPA & Rezoning Application 04 107243 NNY 23 OZ – Sterling (Finch) Group Inc. – Rafael & Bigauskas Architects – 203, 205 and 215 Finch Avenue East (Ward 23 – Willowdale)**
- 36(a).** Communication (October 5, 2004) from the Ho Chun Ming,

**37. Direction Report - Application to Amend the Official Plan and Zoning By-law – 04 109551 NNY 23 OZ – Rosedale Developments Inc., E.I. Richmond Architects and Kohn Shnier Architects - 4917-4975 Yonge Street, 8-18 and 50 Spring Garden Avenue and 11-27 Hollywood Avenue (Ward 23 – Willowdale)**

Report (October 5, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on a proposal to amend the North York Official Plan and Zoning By-law to permit a development encompassing a 35 storey condominium building on Yonge Street having 2 floors of commercial use, a new Toronto District School Board school building, and two 24 storey condominium buildings and a 36 storey condominium is proposed to replace the previously approved 30 storey building.

Recommendations:

It is recommended that City Council:

- (1) Authorize the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing to oppose the applications submitted;
- (2) Authorize the City Solicitor and appropriate staff to support the applications provided the site plan is revised to the satisfaction of City Planning staff respecting the following:
  - (i) continuous driveway with a dedicated drop-off and pick-up area for the school between Hollywood Avenue and Spring Garden Avenue;
  - (ii) below-grade parking garage for 40 spaces provided beneath the school building;
  - (iii) publicly accessible landscape open space abutting Spring Garden Avenue and the school playground by shifting Building E northward;
  - (iv) consolidation of driveway entrances; and,
  - (v) minimum three floors of retail/commercial uses in Building C along the Yonge Street frontage.
- (3) Authorize the City Solicitor and appropriate staff to support the applications provided that the following standards be secured in the proposed By-laws:
  - (i) For the building located at 8 Spring Garden Avenue (Building B) the following shall apply:
    - (a) total gross floor area to be increased from 20,606 m<sup>2</sup> to 31,485 m<sup>2</sup>
    - (b) maximum number of units to be increased from 318 to 342



- (ii) For the building located at 4917-4975 Yonge Street (Building C) the following shall apply:
  - (a) maximum 34,395 m<sup>2</sup> gross floor area for residential use including density incentives
  - (b) minimum 8,985 m<sup>2</sup> gross floor area for commercial use, to be located on the first three floors
  - (c) ground floor to be used for retail use, and the second and third floors to have retail / commercial uses
  - (d) maximum number of units of 405.
  
- (iii) For the buildings located at 18 Spring Garden and 27 Hollywood Avenues, (Buildings D and E), the following shall apply:
  - (a) maximum residential gross floor area of 47,551 m<sup>2</sup> including density incentives
  - (b) maximum number of units of 580
  
  - (c) maximum building height of 65 metres.
  
- (iv) For the school building located at 50 Spring Garden Avenue, the following shall apply:
  - (a) maximum gross floor area of 3789 m<sup>2</sup>
  - (b) maximum building coverage of 40%
  - (c) maximum building height of 11 metres and 3 storeys.
  
- (4) Prior to the OMB hearing, the applicants shall submit revised, detailed plans to the City for review, based on the revisions discussed in this Report.
  
- (5) The City Solicitor shall request the Ontario Municipal Board to withhold its Order approving the Official Plan amendment and Zoning By-law until:
  - (i) The owner has entered into an agreement under Section 37 of the Planning Act to: ensure the provision of an appropriate financial contribution to be used for community facility improvements in the area, to the satisfaction of the City Solicitor and the Commissioner of Economic Development, Culture and Tourism in consultation with the ward Councillor. Based on the height and density proposed, staff recommend a contribution in the range of \$500,000. In addition to this contribution, the Section 37 agreement shall also secure a contribution towards public art based on one percent of the estimated value of construction for Buildings D and E and the additional density for Buildings B and C. These payment shall be submitted to the City prior to issuance of the first building permit for Buildings B, C, D, or E. Prior to the first building permit, the applicant shall provide an irrevocable letter of credit in the value of 5% of the

market value of the net site of Buildings C, D, and E for off-site parkland dedication.

- (ii) Conditions of site plan approval for the entire site have been established and the owner has entered into an agreement under Section 41 of the Planning Act to secure among other matters, the provision of a publicly accessible landscaped open space adjacent to Spring Garden Avenue and the school playground. The site plan agreement shall also continue to secure sidewalk improvements along Yonge Street, landscaping and an interim parking lot, illustrated as Phase 1A on Plan L-1 (Nov. 27, 2003), prior to the issuance of the first building permit for Buildings B, C, D. or E.
- (iii) By-laws are prepared to the satisfaction of the City Solicitor. The detailed zoning by-law shall incorporate performance standards which include, but are not limited to, regulations on building setbacks, building envelopes, build-to lines, parking, building heights, gross floor area of residential and commercial space, type of uses, number of dwelling units, minimum indoor recreational amenity space, outdoor open space area, parking and loading.
- (iv) Upon detailed review of the revised plans, in preparation of the by-laws and required agreements, the applicant shall address the concerns of the commenting departments and agencies including the requirements of the Works and Emergency Services Department, Economic Development, Culture and Tourism Department, and the Toronto Transit Commission. These requirements shall be secured as appropriate in the Section 37 or Site Plan development agreements; and,
- (v) The applicants have given a written undertaking in a form satisfactory to the City Solicitor, that upon the Official Plan amendment and zoning by-law described in this report coming into force and effect, the applicant's appeal of the new Toronto Official Plan as it relates to this site, be settled upon the necessary amendments to the new Toronto Official Plan being made to reflect the Official Plan amendment and zoning by-law approved by the Ontario Municipal Board.

**37(a).** Communication (September 30, 2004) from Jack Loman

**37(b).** Communication (October 3, 2004) from the B. Allen

## **ADDED ITEMS**

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

**(Deputation Item – 10:30 a.m.)**

Communication (October 5, 2004) from the City Clerk, advising that City Council, on September 28, 29, 30 and October 1, 2004, re-opened North York Community Council Report 4, Clause 23, headed “Encroachment Agreement Application – 1 St. Ives”, for further consideration, and that the applicant be permitted to submit a new application.

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

Report (September 28, 2004) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, reporting on permitting an encroachment agreement.

#### **Recommendations:**

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

- (1) That the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
- (2) That the appropriate City officials be authorized to take the necessary action to give effect thereto;
- (3) That no claims will be made against the City by the owner(s) 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 removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (5) The indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;

- (6) In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Urban Development Services;
- (7) The owner(s) will at their expense and to the satisfaction of the Commissioner of Urban Development Services, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
- (8) The owner(s) pay the following fees;
  - (i) Application Fee of \$423.07
  - (ii) Legal Administration Cost and Registration of \$391.70
  - (iii) Annual Fee (rate adjusted annually) of \$3.30 per square metre for 249.9 square metres, totalling \$824.01 for 2004.

**39. Request for Direction Report – Site Plan Approval Application 03 200020 NNY 24 SA – Marek Dzikowski, Dzikowski Architects Inc. – 5845-5955 Leslie Street (Ward 24 – Willowdale)**

Report (October 5, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on a site plan application for a drive-through restaurant on the property known as 5955 Leslie Street.

Recommendations:

- (1) Staff be directed to finalize the site plan details based on the site layout shown in the September 2004 submission in consultation with Works & Emergency Services;
- (2) The City Solicitor be directed to attend the Ontario Municipal Board hearing in support of a site plan approval based on the September submission;
- (3) The City Solicitor and appropriate City staff be authorized to take such actions as necessary to give affect to the above recommendations.