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## Toronto and East York Community Council

<b>Meeting No.</b>	19	<b>Contact</b>	Frances Pritchard, Acting Administrator
<b>Meeting Date</b>	Tuesday, October 7, 2008	<b>Phone</b>	416-392-7033
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	teycc@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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### Item

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- TE19.1 Permanent Closure of Public Lane at the Rear of 585 Queen Street West (Ward: 20)
- TE19.3 Inclusion on Heritage Inventory - 1091 Eastern Avenue (Ward: 32)
- TE19.4 Demolition of a Structure Within the South Rosedale Heritage Conservation District and Approval of Replacement Structure - 45 Castle Frank Road (Ward: 27)
- TE19.5 Alterations to a Designated Heritage Property - 3 Old George Place (Ward: 27)
- TE19.6 Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 129 St. Clair Avenue West (Ward: 22)
- TE19.7 Final Report - Rezoning Application - 45 Charles Street East (Ward: 27)
- TE19.8 Final Report - Rezoning Application - 1 and 23 Bloor Street East, 14 Hayden Street and 709 and 711 Yonge Street (Ward: 27)
- TE19.9 Final Report - 181-225 Mill Street Rezoning Application (Ward: 28)
- TE19.10 Final Report - Rezoning Application - 171 East Liberty Street (Ward: 19)

**Item**

- TE19.11 Final Report - Zoning By-law Amendment Application and Rental Housing Demolition Permit Application - 299 Roehampton Avenue (Ward: 22)
- TE19.12 Supplementary Report- To amend the Final Report for 57 and 59 Elm Grove Avenue (Ward: 14)
- TE19.13 Final Report - Rezoning Application - 200 Madison Avenue (Ward: 22)
- TE19.14 Final Report - Rezoning Application - 1815 Yonge Street and 25 Merton Street (Ward: 22)
- TE19.15 Rezoning Application and Site Plan Control Directions Report - 763-765 Woodbine Avenue & 1945-1955 Gerrard Street East (Ward: 32)
- TE19.16 Request for Direction Report - Rezoning and Site Plan Applications - 1638-1644 Bloor Street West (Ward: 14)
- TE19.41 Sign Variance - 40 Bay Street (Ward: 28)
- TE19.45 Removal of On-Street Parking Space for Persons With Disabilities – Gerrard Street East (Ward: 32)
- TE19.47 Parking for Buses - Davenport Road, west of Bathurst Street (Ward: 21)
- TE19.55 Proposed Permanent Closure and Sale of a Portion of the Public Lane at the Rear of 427 Shaw Street (Ward: 19)
- TE19.56 Permanent Closure of the Public Lane Abutting the Rear of 118 Enderby Road (Ward: 32)
- TE19.57 Proposed Permanent Closure and Sale of a Portion of the Public Lane at the Rear of 3 Kimberley Avenue (Ward: 32)
- TE19.64 Endorsement of Events for Liquor Licensing Purposes (Ward: All)
- TE19.66 Committee of Adjustment Appeal - 1917 Queen Street East (Ward: 32)
- TE19.68 Committee of Adjustment Appeal - 12 Sully Crescent (Ward: 19)
- TE19.69 Committee of Adjustment Appeal - 410 Rosemary Road (Ward: 21)

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## Toronto and East York Community Council

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<b>Meeting Date</b>	Tuesday, October 7, 2008	<b>Phone</b>	416-392-7033
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	teycc@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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TE19.1	Adopted			Ward: 20
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### Permanent Closure of Public Lane at the Rear of 585 Queen Street West

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council enact the draft by-law from the City Solicitor to permanently close the public lane at rear of 585 Queen Street West.

*Statutory - City of Toronto Act, 2006*

(September 19, 2008) Draft By-law from City Solicitor

#### Committee Recommendations

The Toronto and East York Community Council recommends that City Council enact the draft by-law from the City Solicitor to permanently close the public lane at rear of 585 Queen Street West.

#### Committee Decision Advice and Other Information

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *City of Toronto Act, 2006*, and no one addressed the Community Council.

#### Summary

To enact the draft by-law from the City Solicitor to permanently close the public lane at rear of 585 Queen Street West.

### Background Information (Committee)

Draft By-law

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15901.pdf>)

TE19.3	Adopted			Ward: 32
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### Inclusion on Heritage Inventory - 1091 Eastern Avenue

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council include the property at 1091 Eastern Avenue (Ashbridge's Bay Treatment Plant Pumping Stations, 1911 and 1971) on the City of Toronto Inventory of Heritage Properties.

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(June 20, 2008) Report from Director, Policy and Research, City Planning Division

#### Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council include the property at 1091 Eastern Avenue (Ashbridge's Bay Treatment Plant Pumping Stations, 1911 and 1971) on the City of Toronto Inventory of Heritage Properties.

#### Summary

This report recommends that City Council include the property at 1091 Eastern Avenue on the City of Toronto Inventory of Heritage Properties.

Following research and evaluation, staff have determined that the property at 1091 Eastern Avenue, which contains two separate pumping stations designed in 1911 and 1971 for the Ashbridge's Bay Treatment Plant, has cultural heritage value and merits inclusion on the City's heritage inventory. The inclusion of the property on the heritage inventory would enable staff to monitor any applications affecting the site and encourage the retention of its heritage values and attributes.

### Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15662.pdf>)

Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15663.pdf>)

Attachment 2

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15664.pdf>

Attachment 3

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15665.pdf>

### 3a Inclusion on Heritage Inventory - 1091 Eastern Avenue

(September 19, 2008) Letter from Toronto Preservation Board

#### Summary

For consideration with report (June 20, 2008) from the Director, Policy and Research, City Planning Division.

#### Background Information (Committee)

Letter

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15862.pdf>

TE19.4	Adopted			Ward: 27
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### Demolition of a Structure Within the South Rosedale Heritage Conservation District and Approval of Replacement Structure - 45 Castle Frank Road

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council approve the request to demolish 45 Castle Frank Road, an “unrated” structure in the South Rosedale Heritage Conservation District, in accordance with Section 42 (1) of the Ontario Heritage Act.
2. City Council approve the plans for the replacement building as shown in the plans submitted by the applicant, Saeed Kauser, prepared by Lorne Rose Architect, including; Existing Site Plan, A1 Proposed Site Plan, A2 Landscape Plan, A3 Site Statistics, A4 Basement Floor Plan & Ground Floor Plan, A5 Second Floor Plan & Third Floor Plan, A6 Garage Floor Plan & Elevations, A7 Front Elevation, A8 Rear Elevation, A9 North Elevation, A10 South Elevation, all dated, August 22, 2008, date stamped received by Heritage Preservation Services August 25, 2008, on file with the Manger, Heritage Preservation Services, and that the replacement structure be constructed substantially in accordance with the submitted plans, subject to the owner:

- a. prior to the issuance of any building permit for the replacement structure located at 45 Castle Frank Road, including a permit for the demolition, excavation, and/or shoring of the subject property, providing building permit drawings satisfactory to the Manager, Heritage Preservation Services.

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(September 3, 2008) Report from Toronto Preservation Board, Toronto and East York Community Council

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council approve the request to demolish 45 Castle Frank Road, an “unrated” structure in the South Rosedale Heritage Conservation District, in accordance with Section 42 (1) of the Ontario Heritage Act;
2. City Council approve the plans for the replacement building as shown in the plans submitted by the applicant, Saeed Kauser, prepared by Lorne Rose Architect, including; Existing Site Plan, A1 Proposed Site Plan, A2 Landscape Plan, A3 Site Statistics, A4 Basement Floor Plan & Ground Floor Plan, A5 Second Floor Plan & Third Floor Plan, A6 Garage Floor Plan & Elevations, A7 Front Elevation, A8 Rear Elevation, A9 North Elevation, A10 South Elevation, all dated, August 22, 2008, date stamped received by Heritage Preservation Services August 25, 2008, on file with the Manger, Heritage Preservation Services, and that the replacement structure be constructed substantially in accordance with the submitted plans, subject to the owner:
  - a. Prior to the issuance of any building permit for the replacement structure located at 45 Castle Frank Road, including a permit for the demolition, excavation, and/or shoring of the subject property, providing building permit drawings satisfactory to the Manager, Heritage Preservation Services.

### **Summary**

This report recommends that City Council approve the demolition of an “unrated” house in the South Rosedale Heritage Conservation District (SRHCD) and approve the design of the replacement structures in accordance with Section 42 (1) of the Ontario Heritage Act, with a condition that the owner obtain approval from the Manager, Heritage Preservation Services for the final building permit plans.

The existing structure does not contribute to the heritage character of the SRHCD and the replacement structure is substantially in accordance with the SRHCD Plan Guidelines.

This consent under the Ontario Heritage Act is in addition to Demolition Permits required under the Building Code Act and the Planning Act and the approval of variances to the existing zoning by-law.

### **Background Information (Committee)**

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15675.pdf>)

Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15676.pdf>)

Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15677.pdf>)

Attachment 3

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15678.pdf>)

Attachment 4

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15679.pdf>)

Attachment 5

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15680.pdf>)

Attachment 6

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15681.pdf>)

Attachment 7

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16327.pdf>)

Attachment 8

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16328.pdf>)

### **4a Demolition of a Structure Within the South Rosedale Heritage Conservation District and Approval of Replacement Structure - 45 Castle Frank Road**

(September 19, 2008) Letter from Toronto Preservation Board

#### **Summary**

For consideration with report (September 3, 2008) from the Director, Policy and Research, City Planning Division.

### **Background Information (Committee)**

Letter

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15865.pdf>)

TE19.5	Adopted			Ward: 27
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### **Alterations to a Designated Heritage Property - 3 Old George Place**

#### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council approve the alteration of 3 Old George Place as shown in the plans submitted by the applicant on June 19, 2008, and prepared by Moriyama and Teshima Architects, including drawings A-002a, A-002b, A-103 and A-104, dated March 26, 2008, and attached to the communication (October 2, 2008) from Jason Phillippe, Moriyama and Teshima Architects.
2. City Council direct that, prior to the issuance of a building permit for the alteration, the applicant provide building permit drawings to the Manager, Heritage Preservation Services that are substantially in accordance with the approved plans.

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(September 3, 2008) Report from Director, Policy and Research, City Planning Division

### **Committee Recommendations**

The Toronto and East York Community Council recommends that City Council:

1. approve the alteration of 3 Old George Place as shown in the plans submitted by the applicant on June 19, 2008 and prepared by Moriyama and Teshima Architects, including drawings A-002a, A-002b, A-103 and A-104, dated March 26, 2008, and attached to the communication (October 2, 2008) from Jason Phillippe, Moriyama and Teshima Architects; and
2. direct that, prior to the issuance of a building permit for the alteration, the applicant provide building permit drawings to the Manager, Heritage Preservation Services that are substantially in accordance with the approved plans.

### **Summary**

This report recommends refusal of an application to alter a property in the North Rosedale Heritage Conservation District (NRHCD) at 3 Old George Place. The property was designated under Part V of the Ontario Heritage Act, enacted by City Council on September 30, 2004, and is identified as a "Category A" building. Category A buildings have the highest level of significance in the HCD, have been determined to be of national or provincial heritage significance, and contribute to the heritage character of the NRHCD.

No. 3 Old George Place was designed by prominent Canadian architect John B. Parkin and is an excellent example of the 1960s modernist movement in Canada. The property makes a significant contribution to the unique streetscape character of this part of the NRHCD ravine lands.

The applicant proposes to build additions on the front of the property that will block views to the existing front of the house and connect to the garage at the front of the property. The garage will also have a partial second storey addition.

This application does not meet the intent of the Official Plan in protecting heritage resources. The proposed alterations would damage the heritage character of the property and significantly alter the streetscape of Old George Place.



## **Background Information (Committee)**

### Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15868.pdf>)

### Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15869.pdf>)

### Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15870.pdf>)

### Attachment 3

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15871.pdf>)

### Attachment 4

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15872.pdf>)

### Attachment 5

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15873.pdf>)

### Attachment 6

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15874.pdf>)

### Attachment 7

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15875.pdf>)

### Attachment 8

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15876.pdf>)

### Attachment 9

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15877.pdf>)

### Attachment 10

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15878.pdf>)

### Attachment 11

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15879.pdf>)

## **Communications (Committee)**

(October 2, 2008) e-mail from Jason Philippe, Architect OAA, Moriyama & Teshima Architects (TE.Supp.TE19.5.1)

(October 7, 2008) e-mail from Amber Stewart, Davies Howe Partners (TE.New.TE19.5.2)

(October 7, 2008) e-mail from Maria Smith (TE.New.TE19.5.3)

(October 7, 2008) e-mail from Eberhard H. Zeidler, Zeidler Partnership Architects (TE.New.TE19.5.4)

## **Speakers (Committee)**

Michael McClelland

Jason Moriyama, Moriyama and Teshima

Alexander Younger

Jan Ruby, Resident's Heritage Advisory Committee

Michael Clarke

S.G. McLaughlin

Jane W. Smith

Jason Philippe

Morrie Tobin

## 5a Refusal of Alterations to a Designated Heritage Property - 3 Old George Place

(September 19, 2008) Report from Toronto Preservation Board

### Summary

To be considered with report (September 3, 2008) from the Director, Policy and Research, City Planning Division.

### Background Information (Committee)

Letter

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15885.pdf>

Attachments-Option 1

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16012.pdf>

TE19.6	Adopted			Ward: 22
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### Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 129 St. Clair Avenue West

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council state its intention to designate the property at 129 St. Clair Avenue West (Deer Park United Church) under Part IV, Section 29, of the Ontario Heritage Act.
2. If there are no objections to the proposed designation in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the Solicitor to introduce the Bills in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.
3. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the City Clerk to refer the proposed designation to the Conservation Review Board.

(September 3, 2008) Report from Director, Policy and Research, City Planning Division

#### Committee Recommendations

The Toronto and East York Community Council recommends that City Council:

1. State its intention to designate the property at 129 St. Clair Avenue West (Deer Park United Church) under Part IV, Section 29 of the Ontario Heritage Act;
2. If there are no objections to the proposed designation in accordance with Section 29(6) of the Ontario Heritage Act, authorize the Solicitor to introduce the Bills in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act; and
3. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, direct the City Clerk to refer the proposed designation to the Conservation Review Board.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report. The public Notice of Intention to Designate will be advertised on the City's web site in accordance with the City of Toronto Act provisions.

### **Summary**

This report recommends that City Council state its intention to designate the property at 129 St. Clair Avenue West under Part IV, Section 29 of the Ontario Heritage Act. The property, which contains Deer Park United Church, was listed on the City of Toronto Inventory of Heritage Properties on January 29 and 30, 2008.

Representatives of the Trustees of Deer Park United Church have advised staff that they are in the process of selling the property. There are concerns in the community about the potential redevelopment of the site.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15880.pdf>

Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15881.pdf>

Attachment 2

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15882.pdf>

Attachment 3

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15883.pdf>

### **Communications (City Council)**

(October 8, 2008) e-mail from Gerry McMaster, Chair, Board of Trustees, Deer Park United Church (CC.Main.TE19.6.1)

## **6a Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 129 St. Clair Avenue West**

(September 19, 2008) Letter from Toronto Preservation Board

### Summary

For consideration with report (September 3, 2008) from the Director, Policy and Research, City Planning Division.

### Background Information (Committee)

Letter

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15884.pdf>

TE19.7	Adopted			Ward: 27
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### Final Report - Rezoning Application - 45 Charles Street East

### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. The draft by-law attached as Attachment No. 6 of the report (September 16, 2008) from the Acting Director, Community Planning, Toronto and East York District be amended by deleting Section 3b and replacing it as follows:
  - “(b) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the heavy lines on Map 2 attached hereto, with the exception of the following:
    - i. cornices, sills, pilasters, parapets, light fixtures, ornamental elements, eaves, guardrails, downspouts, and balustrades, which may project 0.4 metres beyond the heavy lines on Map 2;
    - ii. bollards, underground garage ramps, retaining walls, fencing, decks, railings, planters, decorative screens, freestanding architectural elements, landscape and public art features, subject to the height restrictions in Section 3(c); and
    - iii. a canopy provided for the purposes of wind protection.”
  
2. The draft by-law attached as Attachment No. 6 of the report (September 16, 2008) from the Acting Director, Community Planning, Toronto and East York District be amended by deleting Section 3c and replacing it as follows:
  - “(c) the *height* of any building or structure or portion thereof, including those elements referred to in Section 4(2)(a)(i) and (ii) of Zoning By-law

No 438-86, as amended, does not exceed the *heights* in metres shown on Map 2 attached to and forming part of this by-law, with the exception of the following:

- i. the maximum height for parapets, terrace and balcony guards and dividers, planters, railings, decorative screens, window washing equipment, and ornamental architectural features shall be the sum of 1.5 metres and the applicable height limit shown on Map 2;
  - ii. the maximum height for chimney stacks shall be the sum of 3.0 metres and the applicable height limit shown on Map 2;
  - iii. the maximum height for elevator machinery shall be the sum of 2.0 metres and the applicable height limit shown on Map 2; and
  - iv. the maximum height for accessory uses and structures located outside of the areas delineated by heavy lines on Map 2 shall be as follows:
    - a. 1.4 metres for bollards, planters, retaining walls, and underground garage ramps;
    - b. 2.1 metres for fencing, decks, railings, decorative screens, and free-standing architectural elements; and
    - c. 1.8 metres above established grade for ground floor fences, walls and planters.”
3. City Council amend Zoning By-law 438-86, as amended for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 of the report (September 16, 2008) from the Acting Director, Community Planning, Toronto and East York District, as amended by Recommendations 1 and 2 above.
  4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
  5. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act to secure the following public benefits:
    - i. prior to the issuance of the first above grade permit, pay to the City the sum of \$1,500,000 towards the construction of an indoor swimming pool at the Wellesley Community Centre, located at 495 Sherbourne Street, or construction of other community recreation facilities in the vicinity of the lot;
    - ii. require that the cash amounts identified in 5.i. shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA,

reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City;

- iii. provide and maintain an irrigation system at the owner's expense for any proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the General Manager, Technical Services;
  - iv. provide for any improvements to the municipal infrastructure in connection with the site servicing review, should it be determined that up-grades are required to the infrastructure to support this development, according to the site servicing review accepted by the Executive Director of Technical Services;
  - v. convey a 0.95 metre wide strip of land abutting the east limit of the substandard public lane abutting the site on the west;
  - vi. convey a triangular corner splay at the northeast corner of the intersection of the east-west and north-south public lanes;
  - vii. incorporate in the construction of the building, and maintain, design and exterior materials satisfactory to the Chief Planner and Executive Director; and
  - viii. build in conformity with the Green Development Standard Checklist submitted by the applicant and date stamped as received on July 25, 2008 (originally submitted June 2007), to the satisfaction of the Chief Planner and Executive Director.
6. City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

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*Statutory - Planning Act, RSO 1990*

(September 16, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. The draft by-law attached as Attachment No. 6 of the report (September 16, 2008) from the Acting Director, Community Planning, Toronto and East York District be amended by deleting Section 3b and replacing it as follows:

"(b) no portion of any building or structure erected and used above *grade* is

located otherwise than wholly within the heavy lines on Map 2 attached hereto, with the exception of the following:

- i. cornices, sills, pilasters, parapets, light fixtures, ornamental elements, eaves, guardrails, downspouts, and balustrades, which may project 0.4 metres beyond the heavy lines on Map 2.
- ii. bollards, underground garage ramps, retaining walls, fencing, decks, railings, planters, decorative screens, freestanding architectural elements, landscape and public art features, subject to the height restrictions in Section 3(c).
- iii. a canopy provided for the purposes of wind protection."

2. The draft by-law attached as Attachment No. 6 of the report (September 16, 2008) from the Acting Director, Community Planning, Toronto and East York District be amended by deleting Section 3c and replacing it as follows:

"(c) the *height* of any building or structure or portion thereof, including those elements referred to in Section 4(2)(a)(i) and (ii) of Zoning By-law No 438-86, as amended, does not exceed the *heights* in metres shown on Map 2 attached to and forming part of this by-law, with the exception of the following:

- i. the maximum height for parapets, terrace and balcony guards and dividers, planters, railings, decorative screens, window washing equipment, and ornamental architectural features shall be the sum of 1.5 metres and the applicable height limit shown on Map 2.
- ii. the maximum height for chimney stacks shall be the sum of 3.0 metres and the applicable height limit shown on Map 2.
- iii. the maximum height for elevator machinery shall be the sum of 2.0 metres and the applicable height limit shown on Map 2.
- iv. the maximum height for accessory uses and structures located outside of the areas delineated by heavy lines on Map 2 shall be as follows:
  - a. 1.4 metres for bollards, planters, retaining walls, and underground garage ramps.
  - b. 2.1 metres for fencing, decks, railings, decorative screens, and free-standing architectural elements.
  - c. 1.8 metres above established grade for ground floor fences, walls and planters."

3. City Council amend Zoning By-law 438-86, as amended for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 of the report (September 16, 2008) from the Acting Director, Community Planning, Toronto and East York District, as amended by Recommendations 1 and 2 above.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
5. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act to secure the following public benefits:
  - i. prior to the issuance of the first above grade permit, pay to the City the sum of \$1,500,000 towards the construction of an indoor swimming pool at the Wellesley Community Centre, located at 495 Sherbourne Street, or construction of other community recreation facilities in the vicinity of the lot;
  - ii. require that the cash amounts identified in 5.i. shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City;
  - iii. provide and maintain an irrigation system at the owner's expense for any proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the General Manager, Technical Services;
  - iv. provide for any improvements to the municipal infrastructure in connection with the site servicing review, should it be determined that up-grades are required to the infrastructure to support this development, according to the site servicing review accepted by the Executive Director of Technical Services;
  - v. convey a 0.95 metre wide strip of land abutting the east limit of the substandard public lane abutting the site on the west;
  - vi. convey a triangular corner splay at the northeast corner of the intersection of the east-west and north-south public lanes;
  - vii. incorporate in the construction of the building, and maintain, design and exterior materials satisfactory to the Chief Planner and Executive Director; and
  - viii. build in conformity with the Green Development Standard Checklist submitted by the applicant and date stamped as received on July 25, 2008 (originally submitted June 2007), to the satisfaction of the Chief Planner and Executive



Director.

6. City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

### **Committee Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *Planning Act*.

### **Summary**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This is an application to amend the Zoning By-law 438-86, as amended, to permit a 33-story residential building at 45 Charles Street East. The existing eight-storey office building would be demolished.

The proposed gross floor area of the building is 24,122 square metres resulting in a density of 12.1 times the area of the lot. The development would include 325 dwelling units and is proposed to be approximately 107 metres in height to the top of the mechanical penthouse.

This report reviews and recommends approval of the application to amend the Zoning By-law.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15731.pdf>

### **Speakers (Committee)**

Patrick Devine

TE19.8	Adopted			Ward: 27
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### **Final Report - Rezoning Application - 1 and 23 Bloor Street East, 14 Hayden Street and 709 and 711 Yonge Street**

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 of the report (September 18, 2008) from the Acting Director, Community Planning,

Toronto and East York District.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council require the owner, before introducing the necessary Bills to City Council for enactment, to enter into an Amending Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement(s) to be registered against the title of the lands for the development to secure the following facilities, services, and matters:
  - a. the owner will pay to the City, prior to the issuance of the first above grade building permit for the lot, the sum of \$800,000 (in addition to the \$2,000,000 secured through the existing Section 37 Agreement) for the purpose of local streetscape improvements in the vicinity of the lot to the satisfaction of the City;
  - b. provide not less than 40 square metres of publicly accessible open space for pedestrian movement in addition to the public sidewalk at the ground level to be located at the intersection of Yonge Street and Bloor Street, the location and design to be to the City's satisfaction;
  - c. provide an easement, if so requested by the General Manager of Transportation Services at the time of site plan approval of this development, that would provide for pedestrian access to the property at the southeast corner of Yonge Street and Bloor Street East;
  - d. the owner will design, construct and convey to the City, to the satisfaction of the Director of Technical Services, a 1.5-metre widening on the north side of Hayden Street as detailed on the site plan drawings submitted with this application; the estimated value of the widening (to be verified by Development Engineering) is \$80,000 to \$100,000; and a letter of credit will be required for that amount;
  - e. the Hayden Street widening is to be completed within 6 months (allowing for poor winter weather) of the completion of the building on site;
  - f. the owner has agreed to pay Toronto Transit Commission the minimum sum of \$178,000 to an upset of \$300,000 in lieu of constructing a below grade TTC/PATH from Yonge Street to Hayden Street via 33 Bloor Street East if the below-grade connection from Yonge Street to 33 Bloor Street East lower concourse is not constructed;
  - g. the cash amount identified in the above shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Amended Section 37 Agreement to the date of submission of the funds by the owner to the City;

- h. provide a public art contribution in accordance with the Percent for Public Art Program for a value not less than one percent of the gross construction cost, of all buildings and structures on the lands to be paid at time of first building permit; and
- i. the following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:
  - 1. provide and maintain an irrigation system for any proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
  - 2. the owner be required to provide for any improvements to the municipal infrastructure in connection with the site servicing review, should it be determined that up-grades are required to the infrastructure to support this development, according to the site servicing review accepted by the Executive Director of Technical Services;
  - 3. incorporate in the construction of the building, and maintain, design and exterior materials satisfactory to the Chief Planner and Executive Director;
  - 4. build in conformity with the Green Development Standard Checklist submitted by the applicant and date stamped as received on September 17, 2008, to the satisfaction of the Chief Planner and Executive Director;
  - 5. provide the incorporation in the construction of the site, landscaping and paving materials satisfactory to the Chief Planner and Executive Director, City Planning Division;
  - 6. provide space within the development site for the construction of any transformer vaults, hydro vaults, Bell maintenance structures, sewer maintenance holes, exhaust and intake vents and stairwells and associated enclosure satisfactory to the Chief Planner and Executive Director, City Planning Division;
  - 7. comply with any other condition to ensure the orderly development and phasing of the lands as required by the Chief Planner and Executive Director, City Planning, acting reasonably; and
  - 8. provide continuous weather protection with a minimum clear depth of three metres and maximum height of five metres on Yonge Street.

4. City Council repeal Zoning By-law 762-2003 after the enactment of the site specific zoning by-law.
5. City Council authorize the City Solicitor to require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act prior to the issuance of the first above grade building permit.
6. City Council require the owner to submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of a foundation permit, a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate.
7. City Council require the owner, before introducing the necessary Bills to City Council for enactment, submit a revised Municipal Servicing and Stormwater Management Report to demonstrate how this site can be serviced with municipal infrastructure; and to confirm whether the existing municipal infrastructure is adequate to service the proposed development.
8. City Council require the owner to contact the Traffic Operations section a minimum of six months prior to construction of the project in order to allow for the necessary reports and by-laws to be enacted in conjunction with the proposed road improvements identified in Recommendation 6 above.
9. City Council require the owner to submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of a foundation permit, fire hydrant flow test results, including information pertaining to when and the specific hydrant locations where the fire hydrant flow tests were conducted.
10. City Council request the Bloor-Yorkville BIA and Toronto Hydro to complete a streetlighting audit for Yonge Street between Davenport Road/Church Street and Grosvenor Street and report the results to the Toronto and East York Community Council by the end of 2008.

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*Statutory - Planning Act, RSO 1990*

(September 18, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 of the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District;

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;
3. City Council require the owner, before introducing the necessary Bills to City Council for enactment, to enter into an Amending Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement(s) to be registered against the title of the lands for the development to secure the following facilities, services, and matters:
  - a. The owner will pay to the City, prior to the issuance of the first above grade building permit for the lot, the sum of \$800,000 (in addition to the \$2,000,000 secured through the existing Section 37 Agreement) for the purpose of local streetscape improvements in the vicinity of the lot to the satisfaction of the City;
  - b. provide not less than 40 square metres of publicly accessible open space for pedestrian movement in addition to the public sidewalk at the ground level to be located at the intersection of Yonge Street and Bloor Street, the location and design to be to the City's satisfaction;
  - c. provide an easement, if so requested by the General Manager of Transportation Services at the time of site plan approval of this development, that would provide for pedestrian access to the property at the southeast corner of Yonge Street and Bloor Street East;
  - d. The owner will design, construct and convey to the City, to the satisfaction of the Director of Technical Services, a 1.5 metre widening on the north side of Hayden Street as detailed on the site plan drawings submitted with this application. The estimated value of the widening (to be verified by Development Engineering) is \$80,000 to \$100,000. A letter of credit will be required for that amount;
  - e. The Hayden Street widening is to be completed within 6 months (allowing for poor winter weather) of the completion of the building on site;
  - f. The owner has agreed to pay Toronto Transit Commission the minimum sum of \$178,000 to an upset of \$300,000 in lieu of constructing a below grade TTC / PATH from Yonge Street to Hayden Street via 33 Bloor Street East if the below-grade connection from Yonge Street to 33 Bloor Street East lower concourse is not constructed;
  - g. The cash amount identified in the above shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Amended Section 37 Agreement to the date of submission of the funds by the owner to the City;

- h. provide a public art contribution in accordance with the Percent for Public Art Program for a value not less than one percent of the gross construction cost, of all buildings and structures on the lands to be paid at time of first building permit;
  - i. The following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:
    - 1. provide and maintain an irrigation system for any proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
    - 2. the owner be required to provide for any improvements to the municipal infrastructure in connection with the site servicing review, should it be determined that up-grades are required to the infrastructure to support this development, according to the site servicing review accepted by the Executive Director of Technical Services;
    - 3. incorporate in the construction of the building, and maintain, design and exterior materials satisfactory to the Chief Planner and Executive Director;
    - 4. build in conformity with the Green Development Standard Checklist submitted by the applicant and date stamped as received on September 17, 2008, to the satisfaction of the Chief Planner and Executive Director;
    - 5. provide the incorporation in the construction of the site, landscaping and paving materials satisfactory to the Chief Planner and Executive Director, City Planning Division;
    - 6. provide space within the development site for the construction of any transformer vaults, hydro vaults, Bell maintenance structures, sewer maintenance holes, exhaust and intake vents and stairwells and associated enclosure satisfactory to the Chief Planner and Executive Director, City Planning Division;
    - 7. comply with any other condition to ensure the orderly development and phasing of the lands as required by the Chief Planner and Executive Director, City Planning, acting reasonably;
    - 8. provide continuous weather protection with a minimum clear depth of three metres and maximum height of five metres on Yonge Street;
4. City Council repeal Zoning By-law 762-2003 after the enactment of the site specific

zoning by-law;

5. City Council authorize the City Solicitor to require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act prior to the issuance of the first above grade building permit;
6. City Council require the owner to submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of a foundation permit, a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;
7. City Council require the owner, before introducing the necessary Bills to City Council for enactment, submit a revised Municipal Servicing and Stormwater Management Report to demonstrate how this site can be serviced with municipal infrastructure; and to confirm whether the existing municipal infrastructure is adequate to service the proposed development.
8. City Council require the owner to contact the Traffic Operations section a minimum of six months prior to construction of the project in order to allow for the necessary reports and by-laws to be enacted in conjunction with the proposed road improvements identified in Recommendation 6 above;
9. City Council require the owner to submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of a foundation permit, fire hydrant flow test results, including information pertaining to when and the specific hydrant locations where the fire hydrant flow tests were conducted; and
10. City Council request the Bloor-Yorkville BIA and Toronto Hydro to complete a streetlighting audit for Yonge Street between Davenport Road/Church Street and Grosvenor Street and report the results to the Toronto and East York Community Council by the end of 2008.

### **Committee Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *Planning Act*.

### **Summary**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a 78-storey (81 level) development containing retail, office, hotel, residential and accessory uses on lands at the southeast corner of the Yonge and Bloor intersection (1 and 23 Bloor Street East, 14 Hayden Street and 709 and 711 Yonge Street). The development site is commonly referred to as 1 Bloor Street East.

In 2003 City Council approved a 60 storey mixed use development on the subject property

excluding 709 and 711 Yonge Street. This report reviews and recommends approval of the application to amend the Zoning By-law to construct a taller building with more gross floor area.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15763.pdf>

### **Communications (Committee)**

(September 30, 2008) fax from Alan Baker (TE.Supp.TE19.8.1)  
 (October 2, 2008) e-mail from Art McIlwain, President, Gleneden Property Service Corporation (TE.Supp.TE19.8.2)  
 (October 5, 2008) e-mail from Shirley Morriss (TE.New.TE19.8.3)  
 (October 2, 2008) e-mail from Max and Nitza Perlman (TE.New.TE19.8.4)  
 (October 7, 2008) e-mail from Robert B. Statton (TE.New.TE19.8.5)  
 (October 7, 2008) letter from Signe Leisk, Cassels Brock & Blackwell LLP (TE.New.TE19.8.6)

### **Communications (City Council)**

(October 2, 2008) letter from Max and Nitza Perlman (CC.Main.TE19.8.7)  
 (October 6, 2008) letter from Kathryn Holden, Secretary, Bay Corridor Community Association (BCCA) (CC.Main.TE19.8.8)  
 (October 28, 2008) fax from Signe Leisk, Cassels Brock & Blackwell LLP (CC.New.TE19.8.9)

### **Speakers (Committee)**

Signe Leisk, Cassels Brock and Blackwell LLP  
 Robert Statton, Hayden Street Ratepayers  
 R Varacalli

TE19.9	Adopted			Ward: 28
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## **Final Report - 181-225 Mill Street Rezoning Application**

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council amend the Zoning By-law 438-86, as amended, to permit the use of a district energy heating and cooling plant prior to lifting the (h) holding symbol substantially in accordance with the draft Zoning By-law Amendment, Attachment 5 of the report (September 16, 2008) from the Acting Director, Community Planning, Toronto and East York District.



2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

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*Statutory - Planning Act, RSO 1990*

(September 16, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council amend the Zoning By-law 438-86, as amended, to permit the use of a district energy heating and cooling plant prior to lifting the (h) holding symbol substantially in accordance with the draft Zoning By-law Amendment, Attachment 5 of the report (September 16, 2008) from the Acting Director, Community Planning, Toronto and East York District; and
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

### **Committee Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *Planning Act*.

### **Summary**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The application proposes to amend Zoning By-law 438-86, as amended, to add a use prior to lifting the (h) in order to permit a district energy heating and cooling plant in the RA zoning category to a portion of the lands known as 181-225 Mill Street, also known as 'Block 8' in the West Don Lands Precinct Plan.

The Central Waterfront Plan promotes the use of sustainable technologies such as, district energy heating and cooling and the King-Parliament Plan also promotes these uses specifically within the West Don Lands.

This report reviews and recommends approval of the application to permit a district energy heating and cooling use prior to lifting the (h) holding symbol and to amend Zoning By-law 438-86, as amended.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15717.pdf>

### **Communications (Committee)**

(October 6, 2008) e-mail from Cynthia Wilkey, West Don Lands

Committee (TE.New.TE19.9.1)

(October 7, 2008) letter from Melanie Hare, Urban Strategies Inc. (TE.New.TE19.9.2)

### **Speakers (Committee)**

Melanie Hare, Urban Strategies

TE19.10	Amended			Ward: 19
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### **Final Report - Rezoning Application - 171 East Liberty Street**

#### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. The draft Zoning by-law amendment specify:
  - a. that no single unit can exceed 500 square metres with the exception of four single units within the building being permitted to have a total floor area of up to 750 square metres per unit;
  - b. uses, such as dry-cleaners distribution station, auctioneer's premises, laundry shop, pet grooming and pawn brokers are not permitted uses; and
  - c. retail stores and home furniture stores are included in the list of permitted uses.
2. City Council amend Zoning By-law 438-86 of the former City of Toronto to permit certain retail and service uses as described in the report (September 22, 2008) from the Director, Community Planning, Toronto and East York District and as set out in Part 1 above.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required and to submit the draft Zoning By-law Amendment to the Council meeting on October 29, 2008.
4. The applicant shall undertake in writing to the City to plant eight (8) trees, at the applicant's sole expense, within the City's right-of-way along the Hanna Avenue frontage in accordance with a landscape plan to be agreed to in consultation with the Ward Councillor, the Chief Planner and the City Forester, provided the applicant and the City agree upon terms for the acquisition by the applicant of that portion of the said right-of-way.

5. City Council hereby determine, pursuant to Section 34(17) of the Planning Act, that no further notice is to be given with respect to the proposed zoning by-law.

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*Statutory - Planning Act, RSO 1990*

(September 22, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. The draft Zoning by-law amendment specify:
  - a. that no single unit can exceed 500 square metres with the exception of four single units within the building being permitted to have a total floor area of up to 750 square metres per unit;
  - b. uses such as, dry cleaners, dry-cleaners distribution station, auctioneer's premises, laundry shop, pet grooming, day care and pawn brokers are not permitted uses;
  - c. retail stores and home furniture stores are included in the list of permitted uses
2. City Council amend Zoning By-law 438-86 of the former City of Toronto to permit certain retail and service uses as described in the report (September 22, 2008) from the Director, Community Planning, Toronto and East York District and as set out in Recommendation 1 above;
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required and to submit the draft Zoning By-law Amendment to the Council meeting on October 29, 2008;
4. Before introducing the necessary Bill to City Council for enactment, the applicant shall provide a letter of credit to the City in the amount \$50,000.00 for on site landscaping on the applicant's lands.

### **Committee Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *Planning Act*.

### **Summary**

This application was made on October 2, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes an amendment to City of Toronto Zoning By-law 438-86 to permit

retail and services uses on the ground floor of the existing commercial-industrial building at 171 East Liberty Street. The total area being proposed for retail and service uses is 11,645 square metres, which represents the area of the ground floor of the existing building.

This report reviews and recommends approval subject to certain conditions and restrictions on the type, unit size and total amount of retail and service uses, of the application.

### **Background Information (Committee)**

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15835.pdf>)

### **Speakers (Committee)**

Danny Roth, Brandon Communications Inc.

Jane Machackeston, Vision TV

Adam Brown, Sherman Brown

TE19.11	Adopted			Ward: 22
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## **Final Report - Zoning By-law Amendment Application and Rental Housing Demolition Permit Application - 299 Roehampton Avenue**

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 of the report (September 15, 2008) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning, to make such stylistic, technical or other changes to the draft Zoning By-law Amendment as may be required to give effect to the intent of the recommendations contained in the report (September 15, 2008) from the Acting Director, Community Planning, Toronto and East York District.
3. City Council authorize the Chief Planner and Executive Director, City Planning, to issue approval to the application to demolish the rental housing units located at 42, 44, 46, 48, 50 Rawlinson Avenue and 325 and 327 Roehampton Avenue under Municipal Code Chapter 667.
4. Before introducing the necessary Bill(s) to City Council, authorize the appropriate City officials and require the owner to execute an Agreement pursuant to Section 37 of the

Planning Act satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor. The agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor, will secure the following facilities, services and matters:

- i. \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field with such improvements to be determined by the Chief Planner in consultation with the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not commenced within 5 years of the by-law coming into force and effect, Council authorizes the use of these funds for alternative park acquisition or improvements in Ward 22. These funds are to be provided to the City upon the implementing zoning by-law for the development coming into full force and effect;
- ii. \$500,000 for deposit into the parkland acquisition and development fund that is established to purchase, design and construct a new park in the Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for the third apartment building on the site;
- iii. the owner shall maintain the 431 existing rental dwelling units as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, and agrees that no application for a conversion to condominium will be made for these units during the twenty year period;
- iv. prior to, or in conjunction with, the construction of a building within Area C, the owner shall construct a recreation centre for the exclusive use of the residents of the lot, located within Area D, which shall contain a minimum of 900 square metres of residential amenity space;
- v. the owner shall develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, an appropriate Construction Mitigation Plan and Resident Communication Strategy prior to the issuance of a demolition permit;
- vi. the owner pay all costs associated with the installation of a southbound left-turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant Road, as assessed by iTRANS Consulting in their August 2007 report;
- vii. the owner will incorporate in the construction of the building, exterior materials to be shown on 1:50 scale drawings of the Rawlinson Avenue building frontage that form part of the approved Site Plan for the development. This is to be included in the Section 37 agreement as a matter of legal convenience; and
- viii. the cash amount identified in Part 4i., above, shall be indexed in accordance

with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

5. The owner will enter into a Site Plan Agreement under Section 41 of the Planning Act, prior to the issuance of the first above grade building permit.
6. Before the introduction of the necessary Bills to City Council, the applicant shall have received permission for the protection, removal and replacement of trees on site pursuant to an application under Toronto Municipal Code Chapter 813, Article III, "Tree Protection" for the private trees that qualify for protection and are proposed to be removed as part of the proposal.
7. The owner will submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of any permit including excavation and shoring, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.
8. The owner will provide for any improvements to the municipal infrastructure in connection with the functional servicing report, as accepted by the Executive Director of Technical Services, should it be determined that upgrades to such infrastructure are required to support this development.
9. City Council authorizes City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

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*Statutory - Planning Act, RSO 1990*

(September 15, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 of the report (September 15, 2008) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor, in consultation with the Chief Planner & Executive Director of City Planning, to make such stylistic, technical or other changes to the draft Zoning By-law Amendment as may be required to give effect to the intent of the recommendations contained in the report (September 15, 2008) from the Acting

Director, Community Planning, Toronto and East York District.

3. City Council authorize the Chief Planner and Executive Director to issue approval to the application to demolish the rental housing units located at 42, 44, 46, 48, 50 Rawlinson Avenue and 325 and 327 Roehampton Avenue under Municipal Code Chapter 667.
4. Before introducing the necessary Bill(s) to City Council authorize the appropriate City officials and require the owner to execute an Agreement pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor. The agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor, will secure the following facilities, services and matters:
  - i. \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field with such improvements to be determined by the Chief Planner in consultation with the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not commenced within 5 years of the by-law coming into force and effect, Council authorizes the use of these funds for alternative park acquisition or improvements in Ward 22. These funds are to be provided to the City upon the implementing zoning by-law for the development coming into full force and effect;
  - ii. \$500,000 for deposit into the parkland acquisition and development fund that is established to purchase, design and construct a new park in the Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for the third apartment building on the site;
  - iii. The owner shall maintain the 431 existing rental dwelling units as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, and agrees that no application for a conversion to condominium will be made for these units during the twenty year period;
  - iv. Prior to, or in conjunction with, the construction of a building within Area C, the owner shall construct a recreation centre for the exclusive use of the residents of the lot, located within Area D, which shall contain a minimum of 900 square metres of residential amenity space;
  - v. The owner shall develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, an appropriate Construction Mitigation Plan and Resident Communication Strategy prior to the issuance of a demolition permit;
  - vi. The owner pay all costs associated with the installation of a southbound left-

turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant Road, as assessed by iTRANS Consulting in their August 2007 report;

- vii. The owner will incorporate in the construction of the building, exterior materials to be shown on 1:50 scale drawings of the Rawlinson Avenue building frontage that form part of the approved Site Plan for the development. This is to be included in the Section 37 agreement as a matter of legal convenience; and
  - viii. The cash amount identified in (4) i. above shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
5. The owner will enter into a Site Plan Agreement under Section 41 of the Planning Act prior to the issuance of the first above grade building permit.
  6. Before the introduction of the necessary Bills to City Council, the applicant shall have received permission for the protection, removal and replacement of trees on site pursuant to an application under Toronto Municipal Code Chapter 813, Article III, "Tree Protection" for the private trees that qualify for protection and are proposed to be removed as part of the proposal.
  7. The owner will submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of any permit including excavation and shoring, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.
  8. The owner will provide for any improvements to the municipal infrastructure in connection with the functional servicing report, as accepted by the Executive Director of Technical Services, should it be determined that upgrades to such infrastructure are required to support this development.
  9. City Council authorizes City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

### **Committee Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *Planning Act*.

### **Summary**

This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This is an application to amend Zoning By-law 438-86 to permit the construction of a 14-storey



residential building on the southwest corner of Roehampton and Rawlinson Avenues. A Rental Housing Demolition Permit Application has also been submitted under Section 111 of the City of Toronto Act.

This report reviews and recommends approval of the application to amend the Zoning By-law:

- a. The building has been located and massed to be compatible with and provide a transition to, the adjacent lower scale Neighbourhoods and meet the development criteria set out for development within Apartment Neighbourhood areas.
- b. The proposal represents a compatible infill development on a site containing an existing apartment.
- c. The community benefits that would be available as a result of approval and construction of this development include improvements to the Northern Secondary School playing fields and a cash dedication to the planned acquisition and development of a new park in the Yonge-Eglinton Centre.

Further, this report also advises that the Chief Planner may approve the issuance of a demolition permit for the seven rental housing units currently on the site.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15703.pdf>

### **Communications (Committee)**

(September 18, 2008) e-mail from Art McIlwain, Gleneden Property Service Corporation (TE.Main.TE19.11.1)

(September 17, 2008) e-mail from Deirdre Thompson (TE.Main.TE19.11.2)

(September 19, 2008) e-mail from Michael Szego (TE.Main.TE19.11.3)

(October 2, 2008) fax from J. MacKay (TE.New.TE19.11.4)

### **Speakers (Committee)**

Allan Leibel, Goodmans LLP

Cliff Korman, Kirkor Architects

Kathy David

TE19.12	Amended			Ward: 14
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**Supplementary Report - To amend the Final Report for 57 and 59 Elm Grove Avenue**

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council amend the authority granted by City Council on September 26 and 27, 2007 (Item TE8.2), as follows:
  - a. by deleting Recommendation 4(ii) and replacing it as follows:

“4(ii) Provide written confirmation from the owner to the Chief Planner and Executive Director, City Planning Division that 59 Elm Grove Avenue, containing a pair of semi-detached dwellings fronting on Elm Grove with a total of 2 dwelling units and 4 row houses to the rear, will be registered as one standard condominium corporation.”;
  - b. by replacing the Official Plan Amendment with Attachment 1 to the report (September 11, 2008) from the Acting Director, Community Planning, Toronto and East York District; and
  - c. by replacing the Zoning By-law Amendment with the Revised Attachment A: Draft Zoning By-law Amendment.
2. City Council make the determination that no further notice is to be given in respect of the proposed Zoning By-law for 57 and 59 Elm Grove Avenue.

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*Statutory - Planning Act, RSO 1990*

(September 11, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that City Council:

1. amend the authority granted by City Council on September 26 and 27, 2007 (Item TE8.2) as follows:
  - a. by deleting Recommendation 4(ii) and replacing it as follows:

“4(ii) Provide written confirmation from the owner to the Chief Planner and Executive Director, City Planning Division that 59 Elm Grove Avenue, containing a pair of semi-detached dwellings fronting on Elm Grove with a total of 2 dwelling units and 4 row houses to the rear, will be registered as one standard condominium corporation.”
  - b. by replacing the Official Plan Amendment with Attachment 1 to the report (September 11, 2008) from the Acting Director, Community Planning, Toronto and East York District;

- c. by replacing the Zoning By-law Amendment with Attachment A of the Motion by Councillor Perks, and amending Attachment A of the Motion by Councillor Perks to indicate that openings are not prohibited on the south wall of the semi-detached houses and that the semi-detached houses are not permitted to be duplexes;
2. make the determination that no further notice is to be given in respect of the proposed Zoning By-law for 57 and 59 Elm Grove Avenue.

### **Committee Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *Planning Act*.

### **Summary**

This report recommends technical amendments to the August 16, 2007 Final Report for 57 & 59 Elm Grove Avenue with respect to number of units, number of parking spaces and gross floor area. This report supersedes and replaces the September 7, 2007 Supplementary Report. As the August 16, 2007 report was adopted by Council at its meeting of September 27, 2007, this report amends the previous recommendations. The Bills to enact the By-law were held to finalize outstanding technical details. The attached Official Plan and Zoning By-law Amendments address these technical details.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15723.pdf>

Excerpt from City Council Minutes of September 26 and 27, 2007 Re: Item TE8.2

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15919.pdf>

### **Background Information (City Council)**

Revised Attachment "A": Draft Zoning By-law Amendment

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16740.pdf>

### **Communications (Committee)**

(October 7, 2008) Member Motion from Councillor Perks (TE.New.TE19.12.1)

<http://www.toronto.ca/legdocs/mmis/2008/te/comm/communicationfile-8790.pdf>

(October 7, 2008) Member Motion from Member Motion (TE.New.TE19.12.1.attach a)

<http://www.toronto.ca/legdocs/mmis/2008/te/comm/communicationfile-8828.pdf>

### **Speakers (Committee)**

Ming Lau, Sorensen Gravely Lowes Planning Association

TE19.13	Adopted			Ward: 22
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## **Final Report - Rezoning Application - 200 Madison Avenue**

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council amend the Zoning By-law for the property at 200 Madison Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.9 of the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required, to give effect to the intent of the recommendations contained in this report.
3. City Council require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act, prior to the issuance of the first above-grade building permit.
4. City Council require the owner to develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, a Construction Mitigation Plan prior the issuance of the demolition permit.
5. City Council direct the Director, Community Planning, Toronto and East York District, in consultation with the Councillor for Ward 22 and appropriate City staff, to conduct a public process (including a public meeting in the neighbourhood) to determine appropriate use of the lands on the south side of MacPherson Avenue between Davenport Road and Spadina Road, such as parkland containing a dog off-leash area and/or parking purposes. The process is to include the new residents of the newly constructed condominium at 700 Huron Street, and the results of this process are to be reported to Toronto and East York Community Council.
6. City Council direct that a liaison committee be established with community representatives, as a condition of site plan approval, with the terms of reference to be established by the applicant, in consultation with the Chief Planner and Executive Director, City Planning.

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*Statutory - Planning Act, RSO 1990*

(September 18, 2008) Report from Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council amend the Zoning By-law for the property at 200 Madison Avenue

substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.9 of the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District;

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required, to give effect to the intent of the recommendations contained in this report;
3. City Council require the owner to enter into a Site Plan Agreement under Section 41 of the *Planning Act* prior to the issuance of the first above-grade building permit;
4. City Council require the owner to develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, a Construction Mitigation Plan prior the issuance of the demolition permit;
5. City Council direct the Director, Community Planning, Toronto and East York District, in consultation with the Councillor for Ward 22 and appropriate City staff, to conduct a public process (including a public meeting in the neighbourhood) to determine appropriate use of the lands on the south side of MacPherson Avenue between Davenport Road and Spadina Road, such as parkland containing a dog off-leash area and/or parking purposes. The process is to include the new residents of the newly constructed condominium at 700 Huron Street, and the results of this process are to be reported to Toronto and East York Community Council; and
6. City Council direct that a liaison committee be established with community representatives, as a condition of site plan approval, with the terms of reference to be established by the applicant, in consultation with the Chief Planner and Executive Director, City Planning.

### **Committee Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *Planning Act*.

### **Summary**

This application was made on November 16, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

The application proposes to demolish an existing one-storey warehouse/office building and replace it with a five and six-storey apartment building with 82 affordable rental units, at 200 Madison Avenue.

City Planning recommends approval of the application to rezone the subject site from an industrial to residential use. The proposal is consistent with the policies of the Official Plan and brings the Zoning By-law into conformity with the Official Plan. The proposal also provides a good transition between neighbouring development intensity and scale.

This report reviews and recommends approval of the application to amend the Zoning By-law.

### Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15692.pdf>)

### Communications (Committee)

(September 29, 2008) e-mail from Tom Tritschler (TE.Supp.TE19.13.1)

(October 6, 2008) e-mail from Bernard Feinstein (TE.New.TE19.13.2)

(October 7, 2008) fax from Patrick J. Devine, Fraser Milner Casgrain LLP (TE.New.TE19.13.3)

(October 7, 2008) e-mail from Bernard Feinstein (TE.New.TE19.13.4)

### Speakers (Committee)

Mendel Green, Co-Chair, Castle Hill Community Association

Jon Harstone, St. Clare's Multifaith Housing Society

David Bronskill, Goodman's LLP

Crystal Wong

TE19.14	Adopted			Ward: 22
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### Final Report - Rezoning Application - 1815 Yonge Street and 25 Merton Street

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 of the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor, in consultation with the Chief Planner and Executive Director of City Planning, to make such stylistic, technical or other changes to the draft Zoning By-law Amendment as may be required to give effect to the intent of the recommendations contained in the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District.
3. City Council require the owner to provide Section 37 cash contributions toward community benefits as follows:
  - i. \$200,000.00 for the redesign and reconstruction of the existing street parking on the north side of Frobisher Avenue between Oriole Parkway and Lascelles

Boulevard. Redesign and reconstruction will allow for the construction of new handicapped accessible spaces for use by all special needs visitors to Oriole Park, including visitors to the new Neshama (accessible) playground, provided that none of these funds will be spent for parking purposes, if such an expenditure would result in the loss of green space, regardless of whether it is designated parkland or not;

- ii. \$150,000.00 for the reconstruction of the two existing tennis courts in Oriole Park;
  - iii. \$420,000.00 for deposit to the parkland acquisition and development fund that will be established to purchase, design and construct a new park in Yonge-Eglinton Centre; and
  - iv. \$130,000.00 for Beltline Park (south of Oriole Park) improvements which will include, pathway surface upgrade and drainage ditch construction.
4. City Council require that the community benefits (detailed in recommendation 3 above) shall be secured in a Section 37 Agreement, to the satisfaction of the City Solicitor, between the owner and the City of Toronto before introducing the necessary Bill(s) to City Council for enactment.
  5. City Council require that all Section 37 contributions identified in Parts 3i., ii., iii. and iv., above, shall be submitted by the owner to the City at such time as the site specific zoning by-law comes into force.
  6. In addition to the additional 5 percent Parks Levy devoted to improvement in the vicinity of the development being spent on the Neshama Playground for disabled children pilot project, City Council direct the 1.25 percent of the base Parks Levy devoted to local Parks improvements to the Parks pilot project, Neshama Playground.
  7. City Council require the owner to develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, an appropriate Construction Mitigation Plan and Resident Communication Strategy prior to the issuance of the first building permit (including excavation permit). Such plan and strategy shall be secured in the Section 37 Agreement as a legal convenience.
  8. City Council require the owner to incorporate, in the construction of the building, exterior materials generally as shown on 1:50 scale drawings of the Yonge Street and Merton Street frontages with building materials labelled to the approval of the Chief Planner and Executive Director. Such exterior materials and drawings shall be secured in the Section 37 Agreement as a legal convenience, recognizing that the drawings may be subject to change but only if so determined through the site plan process.
  9. City Council require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act prior to the issuance of the first above-grade building permit.
  10. City Council require the owner to provide and maintain an irrigation system for the

proposed trees within the public road allowances, including an automatic timer designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with backflow preventer to the satisfaction of the General Manager of Parks and Recreation.

11. City Council require the owner to submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of any permit (including excavation permit), a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate.
12. City Council require the owner to provide for any improvements to the municipal infrastructure in connection with the Site Servicing Assessment and Traffic Impact Study should it be determined that upgrades are required to the infrastructure to support this development according to the Site Servicing Assessment and Traffic Impact Study as accepted by the Executive Director, Technical Services.

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*Statutory - Planning Act, RSO 1990*

(September 18, 2008) Report from Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 of the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor, in consultation with the Chief Planner and Executive Director of City Planning, to make such stylistic, technical or other changes to the draft Zoning By-law Amendment as may be required to give effect to the intent of the recommendations contained in the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District.
3. City Council require the owner to provide Section 37 cash contributions toward community benefits as follows:
  - i. \$200,000.00 for the redesign and reconstruction of the existing street parking on the north side of Frobisher Avenue between Oriole Parkway and Lascelles Boulevard. Redesign and reconstruction will allow for the construction of new handicapped accessible spaces for use by all special needs visitors to Oriole Park, including visitors to the new Neshama (accessible) playground, provided that none of these funds will be spent for parking purposes, if such an expenditure would result in the loss of green space, regardless of whether it is



designated parkland or not;

- ii. \$150,000.00 for the reconstruction of the two existing tennis courts in Oriole Park;
  - iii. \$420,000.00 for deposit to the parkland acquisition and development fund that will be established to purchase, design and construct a new park in Yonge-Eglinton Centre; and
  - iv. \$130,000.00 for Beltline Park (south of Oriole Park) improvements which will include, pathway surface upgrade and drainage ditch construction.
4. City Council require that the community benefits (detailed in recommendation 3 above) shall be secured in a Section 37 Agreement, to the satisfaction of the City Solicitor, between the owner and the City of Toronto before introducing the necessary Bill(s) to City Council for enactment.
  5. City Council require that all Section 37 contributions identified in recommendation 3 (i), (ii), (iii) and (iv) above shall be submitted by the owner to the City at such time as the site specific zoning by-law comes into force.
  6. In addition to the additional 5% Parks Levy devoted to improvement in the vicinity of the development being spent on the Neshama Playground for disabled children pilot project, City Council direct the 1.25% of the base Parks Levy devoted to local Parks improvements to the Parks pilot project, Neshama Playground.
  7. City Council require the owner to develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, an appropriate Construction Mitigation Plan and Resident Communication Strategy prior to the issuance of the first building permit (including excavation permit). Such plan and strategy shall be secured in the Section 37 Agreement as a legal convenience.
  8. City Council require the owner to incorporate, in the construction of the building, exterior materials generally as shown on 1:50 scale drawings of the Yonge Street and Merton Street frontages with building materials labelled to the approval of the Chief Planner and Executive Director. Such exterior materials and drawings shall be secured in the Section 37 Agreement as a legal convenience, recognizing that the drawings may be subject to change but only if so determined through the site plan process.
  9. City Council require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act prior to the issuance of the first above-grade building permit.
  10. City Council require the owner to provide and maintain an irrigation system for the proposed trees within the public road allowances, including an automatic timer designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with backflow preventer to the satisfaction of the General Manager of Parks and Recreation.

11. City Council require the owner to submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of any permit (including excavation permit), a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate.
12. City Council require the owner to provide for any improvements to the municipal infrastructure in connection with the Site Servicing Assessment and Traffic Impact Study should it be determined that upgrades are required to the infrastructure to support this development according to the Site Servicing Assessment and Traffic Impact Study as accepted by the Executive Director, Technical Services.

### **Committee Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on October 7, 2008 and notice was given in accordance with the *Planning Act*.

The Toronto and East York Community Council requested the General Manager, Parks, Forestry and Recreation to report directly to Council on the feasibility of the 1.25% devoted to City-wide Parks Improvement be directed to the Parks pilot project, Neshama Playground.

### **Summary**

This application was made after January 1, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application, pertaining to the lands located at 1815 Yonge Street and 25 Merton Street proposes the construction of a 24-storey residential condominium building. Included in those 24-storeys is a 4-storey podium which extends eastwards on its lot along the Merton Street frontage. The podium is proposed to consist of stacked, multi-storey townhouse style units.

The City Planning Division is recommending approval of this application given:

- the proposed redevelopment and residential intensification is of an underutilized commercial site on the Yonge Street arterial that has contained two 2-storey buildings that have been vacant for many years;
- the compliance of this proposal with the development criteria for new development in Mixed Use Areas;
- the proximity of the site to transit, retail, service and entertainment facilities and places of employment;
- the attention that has been given in the design of this project to the reduction of shadow impact of the proposed new building on the existing buildings in the immediate area;
- the attention that has been given by the applicant to the streetscape and building details to ensure that the development fits within its built form context and open space

surroundings; and

- the community benefits that would be available as a result of approval and construction of this development including, redesign and construction of the street parking associated with the Oriole Park – Neshama playground, reconstruction of two tennis courts in Oriole Park, improvements to the Kay Gardiner Beltline Park and a cash dedication to the planned acquisition and development of a new park in the Yonge-Eglinton Centre.

This report reviews and recommends approval of the application to amend the Zoning By-law.

### **Background Information (Committee)**

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15705.pdf>)

### **Background Information (City Council)**

Supplementary report (October 27, 2008) from the General Manager, Parks, Forestry and Recreation (TE19.14a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16597.pdf>)

### **Communications (Committee)**

(September 23, 2008) e-mail from Art McIlwain, President, Glenden Property Service Corporation (TE.Main.TE19.14.1)

(October 6, 2008) e-mail from Alexandra Boikovitis (TE.New.TE19.14.2)

(October 7, 2008) e-mail from Ryan DeGama (TE.New.TE19.14.3)

(October 7, 2008) letter from Ann Rexe, Friends of Oriole Park (TE.New.TE19.14.4)

### **Speakers (Committee)**

Peter Clewes, Architects Alliance

Ann Rexe, Friends of Oriole Park

Sana Scott

Ellen Hanbidge

Christopher Patton

Nina Watson

TE19.15	Adopted			Ward: 32
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## **Rezoning Application and Site Plan Control Directions Report - 763-765 Woodbine Avenue & 1945-1955 Gerrard Street East**

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council direct the City Solicitor and appropriate staff to attend any Ontario Municipal Board (OMB) hearing to oppose the applications as currently proposed.
2. City Council direct staff to continue to negotiate with the applicant in an attempt to resolve outstanding matters as outlined in the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District, including, but not limited to, issues related to Height and Massing, Urban Design and Streetscaping.
3. Subject to the applicant addressing the issues raised in the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District, to the satisfaction of the Director of Community Planning, Toronto and East York District, City Council direct the City Solicitor to report back to City Council on any proposed settlement.
4. City Council authorize the City Solicitor and City staff to take such necessary steps to implement the foregoing.

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(September 18, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that City Council:

1. direct the City Solicitor and appropriate staff to attend any Ontario Municipal Board (OMB) hearing to oppose the applications as currently proposed.
2. direct staff to continue to negotiate with the applicant in an attempt to resolve outstanding matters as outlined in the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District, including, but not limited to, issues related to Height and Massing, Urban Design and Streetscaping.
3. subject to the applicant addressing the issues raised in the report (September 18, 2008) from the Acting Director, Community Planning, Toronto and East York District, to the satisfaction of the Director of Community Planning, Toronto and East York District, City Council direct the City Solicitor to report back to City Council on any proposed settlement.
4. authorize the City Solicitor and City staff to take such necessary steps to implement the foregoing.

### **Summary**

The application for zoning by-law amendment was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the *City of Toronto Act, 2006*. The applicant appealed the zoning by-law application and site plan application to the Ontario Municipal Board due to City Council's failure to make a decision within the time allotted by the Planning Act. The purpose of this report is to seek City Council's direction for the hearing

of the appeal which is expected to be scheduled for mid-fall, 2008.

The applicant proposes to construct a 6 storey mixed use building with a mezzanine, which therefore appears as a 7 storey building. The proposed building contains 29 residential units with commercial units at grade at 763-765 Woodbine Avenue and 1945-1955 Gerrard Street East.

This report recommends that the proposal be opposed in its current form, however, staff should continue discussions with the applicant in an attempt to resolve the outstanding matters as outlined in this report.

### **Background Information (Committee)**

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15841.pdf>)

TE19.16	Amended			Ward: 14
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### **Request for Direction Report - Rezoning and Site Plan Applications - 1638-1644 Bloor Street West**

#### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council consider the Settlement Offer summarized in Confidential Attachment 1 to the supplementary report (October 28, 2008) from the City Solicitor, and adopt the confidential recommendations in Confidential Attachment 1.
2. If adopted, the confidential instructions together with Appendix 1, be released at the end of the Council meeting.

The following recommendations and Appendix 1 contained in Confidential Attachment 1 to the report (October 28, 2008) from the City Solicitor (TE19.16a), are now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege:

1. Council accept the Settlement Offer, attached as Appendix "1".
2. Appendix "1" to this report be publicly released, along with the confidential instructions, at the end of the Council meeting.

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**Confidential Attachment - The receiving of advice that is subject to solicitor-client**

## **privilege**

(October 2, 2008) Report from Acting Director, Community Planning, Toronto and East York District

## **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board (OMB) hearing to oppose the proposal in its current form.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant in an attempt to resolve the issues, as outlined in the report (October 2, 2008) from the Acting Director, Community Planning, Toronto and East York District, and to report directly to Council on a potential settlement.
3. City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order(s) approving the zoning by-law and providing site plan approval until such time as:
  - a. An appropriate zoning by-law amendment is prepared to the satisfaction of the Chief Planner in consultation with the City Solicitor or her designate;
  - b. The owner has entered into an agreement with the City to secure the contributions to be provided pursuant to Section 37 of the Planning Act, as outlined in the report (October 2, 2008) from the Acting Director, Community Planning, Toronto and East York District, to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate, and such agreement has been registered on title;
  - c. The owner enter a Site Plan Agreement with the City to secure the conditions of site plan approval, to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate, and such agreement has been registered on title; and
  - d. Traffic impact and servicing issues have been resolved by the owner, to the satisfaction of the Executive Director, Technical Services.
4. City Council authorize the City Solicitor and necessary City staff to take such necessary steps to implement the foregoing.

## **Summary**

The applicant has appealed the Zoning By-law amendment and Site Plan Control applications to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on the applications within the time allotted by the Planning Act. The applications before the OMB are to permit a 12-storey, 108 unit building at 1638-1644 Bloor Street West. The purpose of this report is to seek Council's direction on the appeal. The OMB has set a hearing date of

November 12, 2008. This Report, therefore, must be considered by Council at its meeting of October 29 and 30, 2008 in order to determine the City's position sufficiently in advance of the hearing.

This report seeks Council's direction to attend the upcoming hearing to oppose the proposal in its current form and to continue discussions with the applicant to achieve a revised proposal that addresses the outstanding issues, as outlined herein. This report also seeks Council's direction to report directly to Council, if appropriate as a result of these discussions

Both applications are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16054.pdf>

### **Background Information (City Council)**

Supplementary report (October 28, 2008) from the City Solicitor (TE19.16a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16610.pdf>

Settlement Offer Appendix "1" (Public release of confidential information)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16766.pdf>

### **Communications (Committee)**

(October 7, 2008) letter from The West Bend Community Association (TE.New.TE19.16.1)

## **16a Rezoning and Site Plan Applications Request for Direction Report - 1638 - 1644 Bloor Street West**

(September 18, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Summary**

On January 31, 2008 M. Behar Planning and Design Inc. on behalf of HP Bloor Street Ltd. applied for a Zoning By-law amendment to construct a 12 storey building containing retail uses on the ground floor and 108 residential units above.

The proposed total gross floor area is 10,886.9m<sup>2</sup> or 8.5 times the area of the lot and the proposed height is 43.55m inclusive of the mechanical penthouse. A total of 125 parking spaces would be provided in a five level underground parking garage that would be accessible from the rear lane to the north.

On June 26, 2008 HP Bloor Street Ltd. appealed the rezoning and site plan applications to the Ontario Municipal Board due to Council's failure to make a decision within the time allotted by

the Planning Act.

The OMB has set a hearing date of November 12, 2008. Staff would like to provide Toronto and East York Community Council with a comprehensive review and appropriate recommendations for the scheduled OMB hearing. Therefore, staff are preparing a Directions Report which will be before Community Council on October 7, 2008.

### **Background Information (Committee)**

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15832.pdf>)

### **Speakers (Committee)**

Hilary Bell

TE19.41	Adopted			Ward: 28
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### **Sign Variance - 40 Bay Street**

#### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council approve the requested variance to permit two illuminated fascia signs on the west elevation of the building and one illuminated pedestal sign containing an LED video board at the northeast corner, along the Bay Street frontage of the property, as part of the proposed comprehensive signage program for the property at 40 Bay Street.
2. The sign permits be subject to approval by the Manager of Heritage Preservation Services for the final design and location of the proposed pedestal sign along the Bay Street frontage of the property.
3. City Council direct the City Clerk's Office to advise the applicant, upon approval of variances, of the requirement to obtain the necessary sign permits from the Chief Building Official.

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(September 19, 2008) Report from Director, Toronto Building, Toronto and East York District

#### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council approve the requested variance to permit two illuminated fascia signs on



the west elevation of the building and one illuminated pedestal sign containing an LED video board at the northeast corner, along the Bay Street frontage of the property, as part of the proposed comprehensive signage program for the property at 40 Bay Street;

2. The sign permits be subject to approval by the Manager of Heritage Preservation Services for the final design and location of the proposed pedestal sign along the Bay Street frontage of the property; and
3. City Council direct the City Clerk's Office to advise the applicant, upon approval of variances, of the requirement to obtain the necessary sign permits from the Chief Building Official.

### Summary

This report reviews and makes recommendations on a request by Adam Kelly of Kramer Design Associates, on behalf of Maple Leaf Sports and Entertainments for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, the proposed comprehensive signage program for the Air Canada Centre. The proposal is to install four illuminated pedestal signs for way-finding and direction purposes along the east, west and south frontage of the property, six illuminated ground signs consisting of video panels along the west frontage of the property, two illuminated canopy signs and two illuminated fascia signs consisting of LED video panels on the west elevation of the building at 40 Bay Street.

Staff recommends approval of the application. The requested variances are minor and within the general intent and purpose of the Municipal Code.

### Background Information (Committee)

Revised - Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15831.pdf>

TE19.42	Adopted			Ward: 21
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### Final Report - Part Lot Control Application - 1400 Eglinton Avenue West

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council enact a Part Lot Control Exemption By-law, with respect to the subject lands, at 1400 Eglinton Avenue West, to be prepared to the satisfaction of the City Solicitor.
2. City Council authorize the City Solicitor to introduce the necessary Bill in Council for a

Part Lot Control Exemption By-law to expire 2 more years from the date of enactment.

3. City Council require the owner to provide proof of payment to the satisfaction of the City Solicitor that all current property taxes for the subject site prior to registration of the Part Lot Control Exemption By-law.
4. City Council require the owner to register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the Land Titles Act agreeing not to convey or mortgage any part of the lands without the written consent of the Chief Planner or his designate prior to the introduction of Bills in Council.
5. City Council authorize and direct the appropriate City officials to register the by-law on title.
6. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction from title upon receipt of confirmation that the Common Elements Condominium Plan has been registered.

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(August 21, 2008) Report from Acting Director, Community Planning, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that:

1. City Council enact a Part Lot Control Exemption By-law, with respect to the subject lands, at 1400 Eglinton Avenue West, to be prepared to the satisfaction of the City Solicitor;
2. City Council authorize the City Solicitor to introduce the necessary Bill in Council for a Part Lot Control Exemption By-law to expire 2 more years from the date of enactment;
3. City Council require the owner to provide proof of payment to the satisfaction of the City Solicitor that all current property taxes for the subject site prior to registration of the Part Lot Control Exemption By-law;
4. City Council require the owner to register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the Land Titles Act agreeing not to convey or mortgage any part of the lands without the written consent of the Chief Planner or his designate prior to the introduction of Bills in Council;
5. City Council authorize and direct the appropriate City officials to register the by-law on title; and
6. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction from title upon receipt of confirmation that the Common Elements Condominium Plan has been registered.

## Summary

This application was made on or after January 1, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application has been submitted to permit the lifting of Part Lot Control at the municipal address known in 2008 as 1400 Eglinton Avenue West. This report reviews and recommends approval of the application to lift Part Lot Control to permit the division of the property into 13 free-hold townhouse with common elements condominium.

An exemption from Part Lot Control is appropriate as the related City development approvals are in place. In addition, this report recommends that the owner of the lands register a Section 118 Restriction under the *Land Titles Act* agreeing not to convey or mortgage any part of the lands without the prior consent of the Chief Planner or his designate.

## Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15711.pdf>

TE19.45	Adopted			Ward: 32
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## Removal of On-Street Parking Space for Persons With Disabilities – Gerrard Street East

### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council approve the removal of the existing on-street parking space for persons with disabilities on the south side of Gerrard Street East, between a point 85.5 metres west of Bowmore Road and a point 5.5 metres further west.

(September 17, 2008) Report from Director, Transportation Services, Toronto and East York District

### Committee Recommendations

The Toronto and East York Community Council recommends that City Council:

1. Approve the removal of the existing on-street parking space for persons with disabilities on the south side of Gerrard Street East, between a point 85.5 metres west of Bowmore Road and a point 5.5 metres further west.

### Financial Impact

Type of funding	Source of funds	Amount
Available within current budget	Transportation Services Division 2008 Operating Budget	\$300.00

### Summary

The purpose of this report is to obtain approval for the removal of an on-street parking space for persons with disabilities on the south side of Gerrard Street East, west of Bowmore Road.

### Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15818.pdf>

TE19.47	Adopted			Ward: 21
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### Parking for Buses - Davenport Road, west of Bathurst Street

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council rescind the “One hour maximum parking, 10:00 a.m. to 1:00 p.m., Tuesday by buses only” regulation on the north side of Davenport Road, from a point 48 metres west of Bathurst Street to a point 135.3 metres west of Bathurst Street.
2. City Council prohibit parking at all times on the north side of Davenport Road, from Bathurst Street to a point 48 metres west thereof.
3. City Council restrict parking to a maximum period of “Two hours by buses only at anytime”, on the north side of Davenport Road, from a point 48 metres west of Bathurst Street to a point 20 metres further west thereof.

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(September 17, 2008) Report from Director, Transportation Services, Toronto and East York District

#### Committee Recommendations

The Toronto and East York Community Council recommends that City Council:

1. Rescind the “One hour maximum parking, 10:00 a.m. to 1:00 p.m., Tuesday by buses

only” regulation on the north side of Davenport Road, from a point 48 metres west of Bathurst Street to a point 135.3 metres west of Bathurst Street.

2. Prohibit parking at all times on the north side of Davenport Road, from Bathurst Street to a point 48 metres west thereof.
3. Restrict parking to a maximum period of “Two hours by buses only at anytime”, on the north side of Davenport Road, from a point 48 metres west of Bathurst Street to a point 20 metres further west thereof.

### Financial Impact

Type of funding	Source of funds	Amount
Available within current budget	Toronto Transportation Services 2008 Operating Budget	\$1000.00

### Summary

Transportation Services is requesting City Council’s approval to designate a “Motor Coach Parking Zone” with parking restricted to buses only for a maximum period of two hours at all times on the north side of Davenport Road, west of Bathurst Street. This will provide a convenient location for Wheeltrans buses to pick up/drop off passengers and school buses/motor coaches to park while passengers visit the “Tollkeeper’s Cottage Museum” located in a park on the northwest corner of Bathurst Street and Davenport Road.

### Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15826.pdf>

Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15827.pdf>

TE19.55	Adopted			Ward: 19
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### Proposed Permanent Closure and Sale of a Portion of the Public Lane at the Rear of 427 Shaw Street

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council permanently close a portion of the public lane at the rear of 427 Shaw Street, shown as Part 1 on Sketch No. PS-2007-298 (the “Lane”), subject to compliance with the requirements of the City of Toronto Municipal Code Chapter 162.

2. City Council direct Transportation Services staff to give notice to the public of a proposed by-law to close the Lane in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law.
3. City Council direct Transportation Services staff to advise the public of the proposed closure of the Lane prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices page of the City's Web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Lane will be considered.
4. City Council accept the Offer to Purchase from Laurie Uytterlinde-Flood and Donald James Currie (the "Purchaser") to purchase the Lane in the amount of \$1,650.00 substantially on the terms and conditions outlined in Appendix "A" to this report.
5. City Council authorize each of the Chief Corporate Officer and the Director of Real Estate severally to accept the Offer to Purchase on behalf of the City.
6. City Council grant authority to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Lane and the completion of the sale transaction.
7. City Council authorize the City Solicitor to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.

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(September 18, 2008) Report from General Manager, Transportation Services and Chief Corporate Officer

### **Committee Recommendations**

The Toronto and East York Community Council recommends that City Council:

1. Permanently close a portion of the public lane at the rear of 427 Shaw Street, shown as Part 1 on Sketch No. PS-2007-298 (the "Lane"), subject to compliance with the requirements of the City of Toronto Municipal Code Chapter 162;
2. Direct Transportation Services staff to give notice to the public of a proposed by-law to close the Lane in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law;
3. Direct Transportation Services staff to advise the public of the proposed closure of the

Lane prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices page of the City's Web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Lane will be considered;

4. Accept the Offer to Purchase from Laurie Uytterlinde-Flood and Donald James Currie (the "Purchaser") to purchase the Lane in the amount of \$1,650.00 substantially on the terms and conditions outlined in Appendix "A" to this report;
5. Authorize each of the Chief Corporate Officer and the Director of Real Estate severally to accept the Offer to Purchase on behalf of the City;
6. Grant authority to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Lane and the completion of the sale transaction; and
7. Authorize the City Solicitor to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.

### **Financial Impact**

The closing of the Lane will not result in any costs to the City as the Purchaser is required to pay all costs associated with the closing.

The City anticipates revenue in the amount of \$1,650.00, (net of GST), less closing costs and the usual adjustments from this sale.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agrees with the financial impact information.

### **Summary**

The General Manager, Transportation Services and the Chief Corporate Officer request that a portion of the public lane at the rear of 427 Shaw Street be permanently closed and that the portion of the public lane be sold to the adjoining land owners, Laurie Uytterlinde-Flood and Donald James Currie, substantially on the terms and conditions outlined in the attached Appendix "A".

The terms for completing the transaction, as set out herein, are considered to be fair, reasonable and reflective of market value.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15991.pdf>

Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15992.pdf>

Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15993.pdf>)

TE19.56	Adopted			Ward: 32
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## **Permanent Closure of the Public Lane Abutting the Rear of 118 Enderby Road**

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council permanently close the public lane, shown as Part 1 on the attached Sketch No. PS-2008-085 (the “Lane”), and that jurisdiction of the Lane be transferred to Children’s Services, subject to compliance with the requirement of the City of Toronto Municipal Code, Chapter 162.
2. City Council direct Transportation Services to give notice to the public of a proposed by-law to close the Lane in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the draft by-law.
3. City Council direct Transportation Services to advise the public of the proposed closure of the Lane prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule “A+” activities, by posting notice of the proposed closure on the notice page of the City’s Web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Lane will be considered.

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(September 16, 2008) Report from Director, Transportation Services, Toronto and East York District

### **Committee Recommendations**

The Toronto and East York Community Council recommends that City Council:

1. Permanently close the public lane, shown as Part 1 on the attached Sketch No. PS-2008-085 (the “Lane”), and that jurisdiction of the Lane be transferred to Children’s Services, subject to compliance with the requirement of the City of Toronto Municipal Code, Chapter 162.
2. Direct Transportation Services to give notice to the public of a proposed by-law to close



the Lane in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the draft by-law.

3. Direct Transportation Services to advise the public of the proposed closure of the Lane prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule "A+" activities, by posting notice of the proposed closure on the notice page of the City's Web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Lane will be considered.

### Financial Impact

There are no financial implications arising from this report. The usual cost of processing this request is the responsibility of Children's Services, with funds available in Account No. CCS008-01.

### Summary

Transportation Services recommends that the public lane, abutting the rear of Premises No. 118 Enderby Road, be permanently closed as a public lane and that jurisdiction of the subject land be transferred to Children's Services.

### Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15898.pdf>

Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15899.pdf>

TE19.57	Adopted			Ward: 32
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### Proposed Permanent Closure and Sale of a Portion of the Public Lane at the Rear of 3 Kimberley Avenue

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council permanently close a portion of the public lane at the rear of 3 Kimberley Avenue, shown as Part 1 on Sketch No. PS-2007-218 (the "Lane"), subject to compliance with the requirements of the City of Toronto Municipal Code Chapter 162.
2. City Council direct Transportation Services staff to give notice to the public of a proposed by-law to close the Lane in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community

Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law.

3. City Council direct Transportation Services staff to advise the public of the proposed closure of the Lane prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices page of the City's Web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Lane will be considered.
4. City Council accept the Offer to Purchase from Robert Frank Mayer and Teresa Marie Funnell (the "Purchaser") to purchase the Lane in the amount of \$25,000.00 substantially on the terms and conditions outlined in Appendix "A" to this report, and each of the Chief Corporate Officer and the Director of Real Estate be authorized severally to accept the Offer to Purchase on behalf of the City.
5. City Council grant authority to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Lane and the completion of the sale transaction.
6. City Council authorize the City Solicitor to complete the transaction(s) on behalf of the City, including making payment of any necessary expenses and amending and/or waiving the closing and other dates to such earlier or later date(s) and amending and waiving terms and conditions, on such terms as she considers reasonable.

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(September 18, 2008) Report from General Manager, Transportation Services and Chief Corporate Officer

### **Committee Recommendations**

The Toronto and East York Community Council recommends that City Council:

1. Permanently close a portion of the public lane at the rear of 3 Kimberley Avenue, shown as Part 1 on Sketch No. PS-2007-218 (the "Lane"), subject to compliance with the requirements of the City of Toronto Municipal Code Chapter 162.
2. Direct Transportation Services staff to give notice to the public of a proposed by-law to close the Lane in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law.
3. Direct Transportation Services staff to advise the public of the proposed closure of the Lane prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices page of the City's Web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Lane will be considered.

4. Accept the Offer to Purchase from Robert Frank Mayer and Teresa Marie Funnell (the "Purchaser") to purchase the Lane in the amount of \$25,000.00 substantially on the terms and conditions outlined in Appendix "A" to this report, and each of the Chief Corporate Officer and the Director of Real Estate be authorized severally to accept the Offer to Purchase on behalf of the City.
5. Grant authority to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Lane and the completion of the sale transaction.
6. Authorize the City Solicitor to complete the transaction(s) on behalf of the City, including making payment of any necessary expenses and amending and/or waiving the closing and other dates to such earlier or later date(s) and amending and waiving terms and conditions, on such terms as she considers reasonable.

### **Financial Impact**

The closing of the Lane will not result in any costs to the City as the Purchaser is required to pay all costs associated with the closing.

The City anticipates revenue in the amount of \$25,000.00, (net of GST), less closing costs and the usual adjustments from this sale.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agrees with the financial impact information.

### **Summary**

The General Manager, Transportation Services and the Chief Corporate Officer request that a portion of the public lane at the rear of 3 Kimberley Avenue be permanently closed, and that the portion of the public lane be sold to the adjoining land owners, Robert Frank Mayer and Teresa Marie Funnell, substantially on the terms and conditions outlined in the attached Appendix "A".

The terms for completing the transaction, as set out herein, are considered to be fair, reasonable and reflective of market value.

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15844.pdf>

Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15845.pdf>

Attachment 2

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15846.pdf>

TE19.64	Adopted			Ward: All
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## Endorsement of Events for Liquor Licensing Purposes

### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council, for liquor licensing purposes, advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests for:
  - a. liquor licence extension of hours for CiRCA (126 John Street), to permit the sale and service of alcohol until 4:00 a.m., on November 1, 2008, for the Official Fashion Cares Event After Party; and
  - b. liquor licence extension of hours for the Metro Toronto Convention Centre, to permit the sale and service of alcohol until 4:00 a.m., on November 1, 2008, for the Fashion Cares Fundraising Gala.

### Committee Recommendations

The Toronto and East York Community Council recommends that City Council, for liquor licensing purposes:

1. advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests for:
  - a. liquor licence extension of hours for CiRCA (126 John Street), to permit the sale and service of alcohol until 4:00 am, on November 1, 2008 for the Official Fashion Cares Event After Party;
  - b. liquor licence extension of hours for the Metro Toronto Convention Centre, to permit the sale and service of alcohol until 4:00 am, on November 1, 2008 for the Fashion Cares Fundraising Gala.

### Committee Decision Advice and Other Information

The Toronto and East York Community Council, for liquor licensing purposes declared the following to be events of Municipal Significance:

- a. Fashion Cares 2008 taking place on November 1, 2008 at the Metro Toronto Convention Centre;
- b. Budweiser Tailgate Party, taking place on December 6 and 7 at 20 Blue Jays Way;

- c. Royal Agricultural Winter Fair, taking place from November 3, 2008 to November 17, 2008 at Exhibition Place.

### Summary

Seeking endorsement of events of Municipal Significance for liquor licensing purposes.

### Communications (Committee)

(September 23, 2008) fax from Aleksandar Milovanovic, respecting The Royal Agricultural Winter Fair to be held on November 3 to November 17, 2008 (TE.Main.TE19.64.1)

(September 30, 2008) letter from Adrienne Giroux, AIDS Committee of Toronto, respecting the Fashion Cares After Party to be held at CIRCA, 126 John Street on Saturday, November 1, 2008 until 4:00 a.m. on Sunday, November 2, 2008 (TE.Supp.TE19.64.2)

(September 30, 2008) letter from Adrienne Giroux, AIDS Committee of Toronto, respecting the Fashion Cares Event to be held at the Metro Convention Centre on Saturday, November 1, 2008 until 4:00 a.m. on Sunday, November 2, 2008 (TE.Supp.TE19.64.3)

(October 3, 2008) e-mail from Jordan Bitove, Vision Companies, respecting the Budweiser Tailgate Party to be held at 20 Blue Jays Way on December 6, 2008 from 7:00 p.m. to 11:00 p.m. and on December 7, 2008 from 11:00 a.m. to 9:00 p.m. (TE.New.TE19.64.4)

TE19.66	Adopted			Ward: 32
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### Committee of Adjustment Appeal - 1917 Queen Street East

#### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council authorize the City Solicitor, the City Planning Division and appropriate staff to appear at the Ontario Municipal Board to support the Committee of Adjustment's decision to refuse the requested minor variances application for 1917 Queen Street East.

(October 2, 2008) Member Motion from Councillor Bussin

#### Committee Recommendations

The Toronto and East York Community Council recommends that City Council authorize the City Solicitor, the City Planning Division and appropriate staff to appear at the Ontario Municipal Board to support the Committee of Adjustment's decision to refuse the requested minor variances application for 1917 Queen Street East.

## Summary

Requesting that City Council authorize the City Solicitor, the City Planning Division and appropriate staff to appear at the Ontario Municipal Board to support the Committee of Adjustment's decision to refuse the requested minor variances application.

## Background Information (Committee)

Motion

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16037.pdf>)

Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16047.pdf>)

Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16048.pdf>)

TE19.68	Adopted			Ward: 19
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## Committee of Adjustment Appeal - 12 Sully Crescent

### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council direct the City Solicitor to attend any future Ontario Municipal Board hearings for 12 Sully Crescent (File A0622/08TEY) to uphold the decision of the Committee of Adjustment.

(October 6, 2008) Letter from Deputy Mayor Pantalone

### Committee Recommendations

The Toronto and East York Community Council recommends that City Council direct the City Solicitor to attend any future Ontario Municipal Board hearings for 12 Sully Crescent (File A0622/08TEY) to uphold the decision of the Committee of Adjustment.

### Summary

Requesting that City Council direct a City Solicitor to attend any future OMB hearings for 12 Sully Crescent to uphold the decision of the Committee of Adjustment.

## Background Information (Committee)

Letter

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16092.pdf>)

Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16093.pdf>)

Attachment 2

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16094.pdf>

Attachment 3

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16095.pdf>

TE19.69	Adopted			Ward: 21
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## Committee of Adjustment Appeal - 410 Rosemary Road

### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council authorize the City Solicitor and necessary City staff to attend the Ontario Municipal Board hearing to uphold the Committee of Adjustment decision to refuse the application at 410 Rosemary Road.

(October 6, 2008) Member Motion from Councillor Mihevc

### Committee Recommendations

The Toronto and East York Community Council recommends that City Council authorize the City Solicitor and necessary City staff to attend the Ontario Municipal Board hearing uphold the Committee of Adjustment decision to refuse the application at 410 Rosemary Road.

### Summary

At its Public Hearing held on Wednesday, September 17, 2008, as required by the Planning Act, the Committee of Adjustment refused the application to To demolish the existing dwelling and to construct a three-storey detached dwelling with an integral, two-car garage, below grade at 410 Rosemary Road.

Variances generated from the proposal include: maximum gross floor area, the introduction of an integral below-grade garage with access in the wall facing the front lot line, maximum permitted above grade height of the proposed front porch, and building depth.

Before the Committee of Adjustment, Community Planning staff along with area residents submitted letters in objection to the file. Neighbouring residents from 408, 412, 413, 414, 415, 416, 418 Rosemary Road and from 411 Richview all registered letters in opposition to the requested variances. Given the community and City staff opposition, I believe it would be prudent to send the City Solicitor and necessary staff to the Ontario Municipal Board to uphold the Committee of Adjustment's decision to refuse the application.

As I stated in my letter to the Committee of Adjustment, Rosemary Road is a stable

neighbourhood in my ward and the proposed demolition of the existing house with a larger replacement house does not fit the neighbourhood character.

### **Background Information (Committee)**

Member Motion

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16130.pdf>

Attachment A

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-16131.pdf>

*Submitted Tuesday, October 7, 2008*

*Councillor Janet Davis, Chair, Toronto and East York Community Council*