

THE CITY OF TORONTO

Clerk's Department

Minutes of the Toronto Community Council

Meeting No. 1

Wednesday, January 20, 1999.

The Toronto Community Council met on Wednesday, January 20, 1999, in Committee Room 1, 2nd Floor, Toronto City Hall, Toronto, commencing at 9:30 a.m.

1.1 Tree Removal - 304 St. Clair Avenue East (Midtown)

The Toronto Community Council had before it a report (January 4, 1999) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) refuse to issue a permit for tree removal; OR
- (2) issue a permit for tree removal conditional on the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism.

On motion by Councillor Bossons, the Committee recommended that City Council refuse to issue a permit for tree removal at 304 St. Clair Avenue East and that the applicant be requested to enlarge the hole in the deck to accommodate the growth of the tree trunk.

(Clause No. 2, Report No. 2)

1.2 Tree Removal - 247 Glenrose Avenue (Midtown)

The Toronto Community Council had before it a report (January 4, 1999) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) Issue a permit for injury to the tree on the condition that during construction of the addition, the applicant agrees to hire an arborist to implement the tree preservation plan prepared by Thomson, Bruce and Associates, dated December 8, 1998, and filed as part of this application; OR
- (2) Refuse to issue a permit for tree injury requiring the applicant to abandon or redesign plans for the rear addition.

Mr. David Cohen, Toronto, Ontario, appeared before the Toronto Community Council in connection with the foregoing matter.

On motion by Councillor Bossons, the Toronto Community Council recommended that City Council issue a permit for injury to the tree at 247 Glenrose Avenue, on the condition that during construction of the addition, the applicant agrees to hire an arborist to implement the tree preservation plan prepared by Thomson, Bruce and Associates, dated December 8, 1998, and filed as part of this application.

(Clause No. 3, Report No. 2)

1.3 Tree Removal - 492 Eglinton Avenue East (North Toronto)

The Toronto Community Council had before it a report (January 4, 1999) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) refuse to issue a permit for tree removal; OR
- (2) issue a permit for tree removal conditional on:
 - i) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under the building permit application for the subject project commence which warrant the destruction of the trees.
 - ii) the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism.

Mrs. Raluca Maruntselu, Toronto, Ontario, appeared before the Toronto Community Council in connection with the foregoing matter.

On motion by Councillor Walker, the Toronto Community Council recommended that City Council issue a permit for tree removal at 492 Eglinton Avenue East, conditional on:

- i) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under the building permit application for the subject project commence which warrant the destruction of the trees.

- ii) the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism.

(Clause No. 3, Report No. 2)

1.4 Request for Angled Driveway Widening - 228 Blackthorn Avenue (Davenport)

The Toronto Community Council had before it a report (September 2, 1998) from the Acting Assistant Director, By-law Administration and Enforcement, City Works Services, and recommending that City Council deny the request for an exemption from the by-law to permit angled driveway widening at 228 Blackthorn Avenue, as such a request does not comply with Chapter 248 of the former City of Toronto Municipal Code due to insufficient space to meet the required clearance from back of the City sidewalk and the landscaping requirements.

On motion by Councillor Fotinos, the Toronto Community Council recommended that City Council approve the request for an exemption from the by-law to permit angled driveway widening at 228 Blackthorn Avenue, subject to the applicant entering into the agreements and paying all applicable fees.

On a further motion by Councillor Fotinos, the Toronto Community Council requested the Commissioner of Works and Emergency Services to report directly to Council on this matter, if necessary.

(Commissioner of Works and Emergency Services - Encl. - January 25, 1999)

(Clause No. 5, Report No. 2)

1.5 170 Woburn Avenue - Driveway Widening Appeal (North Toronto)

The Toronto Community Council had before it the report (January 4, 1999) from the Manager, Right of Way Management, Transportation Services District 1, and recommending that City Council deny the request for an exemption from the by-law to permit driveway widening at 170 Woburn Avenue, as such a request does not comply with Chapter 248 of the former City of Toronto Municipal Code.

The Toronto Community Council also had before it a communication (November 19, 1998) from Councillor Walker.

Dr. Sean Rourke, Toronto, Ontario, appeared before the Toronto Community Council in connection with the foregoing matter.

On motion by Councillor Walker, the Toronto Community Council recommended to City Council that the request for driveway widening at 170 Woburn Avenue be approved, subject to the applicant entering into the agreements and paying all applicable fees.

(Clause No. 6, Report No. 2)

1.6 2 Drumsnab Road - Maintenance Of A Brick Wall (Midtown)

The Toronto Community Council had before it a report (November 30, 1998) from the Manager, Right of Way Management, Transportation Services, District 1, and recommending that:

- (1) City Council approve the maintenance of the 2.0 m high brick wall within the City's right-of-way, provided that the owner enters into an encroachment agreement with the City of Toronto; and
- (2) the agreement be prepared in accordance with procedures established by the former City of Toronto and in accordance with Municipal Code Chapter 313, Streets and Sidewalks;

On motion by Councillor Adams, the Toronto Community Council recommended to City Council the adoption of the foregoing report from the Manager, Right of Way Management, Transportation Services, District 1.

(Clause No. 7, Report No. 2)

1.7 Tree Removal - 12 Willard Gardens (High Park)

The Toronto Community Council had before it a report (January 4, 1999) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) issue a permit for tree removal conditional on the tree in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under the building permit application for the subject project commence which warrant the destruction of the tree; OR
- (2) refuse to issue a permit for tree removal requiring the applicant to abandon or redesign plans for the addition.

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council recommended that City Council issue a permit for tree removal at 12 Willard Gardens, conditional on the tree in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under the building permit application for the subject project commence which warrant the destruction of the tree.

(Clause No. 8, Report No. 2)

1.8 Tree Removal - 114 Highbourne Road (North Toronto)

The Toronto Community Council had before it a report (January 4, 1999) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) issue a permit for tree removal conditional on:
 - i) the tree in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under the building permit application for the subject project commence which warrant the destruction of the tree.
 - ii) the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism; OR
- (2) refuse to issue a permit for tree removal requiring the applicant to abandon or redesign plans for the addition.

Ms. Marilyn Wright, Toronto, Ontario, appeared before the Toronto Community Council in connection with the foregoing matter.

On motion by Councillor Walker, the Toronto Community Council recommended that City Council issue a permit for tree removal at 114 Highbourne Road, conditional on:

- (i) the tree in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under the building permit application for the subject project commence which warrant the destruction of the tree; and
- (ii) the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism.

(Clause No. 9, Report No. 2)

1.9 586 Victoria Park Avenue - Results Of The Poll For Front Yard Parking (East Toronto)

The Toronto Community Council had before it a report (January 6, 1999) from the Manager, Right of Way Management, Transportation Services, District 1, and recommending that City Council deny the application for front yard parking, as the result of the poll was not favourable, as per the criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code.

The Toronto Community Council also had before it a communication (Undated) from Mr. Ben Volmer.

On motion by Councillor Jakobek, the Toronto Community Council recommended that City Council deny the application for front yard parking at 586 Victoria Park Avenue, as the result of the poll was not favourable, as per the criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code.

(Clause No. 10, Report No. 2)

1.10 Appeal Of Driveway Widening - 103 Moore Avenue (Midtown)

The Toronto Community Council had before it Clause 42 of Report No. 16 of the Toronto Community Council, which was struck out by City Council on December 16 and 17, 1998 and referred back to the Toronto Community Council for further consideration and the hearing of deputations.

The Toronto Community Council also had before it a communication (July 20, 1998) from Mr. Richard V. Sadlowski, addressed to Toronto City Works Services.

Mr. Richard Sadlowski, applicant, appeared before the Toronto Community Council in connection with the foregoing matter.

On motion by Councillor Adams, the Toronto Community Council recommended to City Council that the existing paving at 103 Moore Avenue be permitted to remain on condition that the applicant agree to pay the cost of a new tree on the municipal right-of-way in the neighbourhood.

The condition respecting the applicant agreeing to pay the cost of a new tree on the municipal right-of-way in the neighbourhood, was carried on the following division of votes:

Yeas: Councillors Rae, Adams, Chow, Korwin-Kuczynski, McConnell, Pantalone and Silva
- 8

Nays: Councillors Bossons, Bussin, Disero, Fotinos and Jakobek - 5

(Clause No. 11, Report No.2)

Councillor Chow assumed the Chair.

1.11 Draft Zoning By-law Respecting Lands Comprising The Block Bounded By Queen, Victoria, Shuter And Bond Streets In The Former City Of Toronto, Being The Main St. Michael's Hospital Complex (Downtown)

The Toronto Community Council had before it a report (January 18, 1999) from the City Solicitor, submitting Draft Zoning By-law respecting Lands Comprising The Block Bounded By Queen, Victoria, Shuter And Bond Streets In The Former City Of Toronto, Being The Main St. Michael's Hospital Complex (Downtown).

The Toronto Community Council also had before it the following report/communication:

- (December 31, 1998) from the Commissioner of Urban Planning and Development Services - Final Report on Rezoning Application No. 198011, St. Michael's Hospital, 30 Bond Street, to permit a phased renovation, redevelopment and expansion of the existing hospital at 30 Bond Street;
- (January 20, 1999) from Mr. John Bell and Ms. Michelle Robidoux, We're No Angels.

Notice of the public meeting was given in accordance with the Planning Act. The public meeting was held on January 20, 1999, and the following persons addressed the Toronto Community Council:

- Ms. Cynthia MacDougall, McCarthy Tetrault, on behalf of St. Michael's Hospital;
- Mr. A.J. Diamond, A.J. Diamond, Donald Schmitt & Company, Architects & Planners, on behalf of St. Michael's Hospital;

- Mr. John Bell, We're No Angels Coalition; and
- Ms. Michelle Robidoux, We're No Angels Coalition.

On motion by Councillor Rae, the Toronto Community Council recommended to City Council that:

- (1) the Draft By-law attached to the report (January 18, 1999) of the City Solicitor be approved and that authority be granted to introduce the necessary bill in Council to give effect thereto;
- (2) the recommendations of the report (December 31, 1998) of the Commissioner of Urban Planning and Development Services be adopted; and
- (3) the Medical Officer of Health, the Chair of the Board of Health and the Councillors of Downtown and Don River meet with the leadership of St. Michael's Hospital to discuss the delivery of services set out in the communication (January 20, 1999) from Mr. John Bell and Ms. Michelle Robidoux, We're No Angels.

(Clause No. 12, Report No.2)

Councillor Rae resumed the Chair.

1.12 Draft Official Plan and Zoning By-law Amendments Respecting 130 Gerrard Street East, 337 Jarvis Street and 12, 14, 16 And 18 Horticultural Avenue (Downtown)

The Toronto Community Council had before it a report (January 6, 1999) from the City Solicitor, submitting Draft Official Plan and Zoning By-law Amendments respecting 130 Gerrard Street East, 337 Jarvis Street and 12, 14, 16 And 18 Horticultural Avenue (Downtown) .

The Toronto Community Council also had before it the following report/communications:

- (March 7, 1997) from the Commissioner of Urban Development Services respecting Application No. 95011 to amend the Official Plan and Zoning By-law;

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- (April 3, 1997) from the Administrator, Land Use Committee, former City of Toronto, forwarding the Committee's actions of March 27, 1997;
- (January 5, 1999) from Mr. C. Tim Devlin.

Notice of the public meeting was given in accordance with the Planning Act. The public meeting was held on January 20, 1999, and the Ms. Mary Flynn-Guglietti, Goodman & Carr, on behalf of the Toronto Baptist Seminary & the Trustees of the Jarvis Street Baptist Church, addressed the Toronto Community Council.

On motion by Councillor Chow, the Toronto Community Council recommended to City Council that:

- (1) the Draft By-laws attached to the report (January 6, 1999) of the City Solicitor be approved and that authority be granted to introduce the necessary bills in Council to give effect thereto, subject to receipt by the City Solicitor from the Owner of the subject lands of written confirmation (subject to the adoption and coming into force of the by-laws) that:
 - (a) Application No. 195011 to amend the Official Plan and Zoning By-law be withdrawn;
 - (b) Cityplan (Official Plan and Zoning By-law) and the site-specific Zoning By-law appeals now before the Ontario Municipal Board will be withdrawn; and
 - (c) The Owner will not object to the designation of 337 Jarvis Street and 130 Gerrard Street East under the Ontario Heritage Act.
- (2) recommendations 1, 2 and 3 of the report (March 7, 1997) of the Commissioner of Urban Development Services of the former City of Toronto be adopted.
- (3) the Council policy of the former City of Toronto which requires a Noise Impact Statement be waived.

On a further motion by Councillor Chow, the Toronto Community Council also requested the Commissioner of Urban Planning and Development Services to indicate in her report on the designation of 337 Jarvis Street and 130 Gerrard Street East, which portions of the buildings are historical and which are more recent additions.

(Commissioner of Urban Planning and Development Services; c.: William Hawryliw, City Legal; Gregg Lintern, Urban Planning and Development Services - Encl. - January 25, 1999)

(Clause No. 13, Report No. 2)

1.13 Tree Removal - 105 Hazelwood Avenue (Don River)

The Toronto Community Council had before it a report (November 25, 1998) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) refuse to issue a permit for tree removal; OR
- (2) issue a permit for tree removal conditional on the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism.

On motion by Councillor McConnell, the Toronto Community Council recommended that City Council refuse to issue a permit for tree removal at 105 Hazelwood Avenue.

(Clause No. 14, Report No. 2)

1.14 Tree Removal - 63 Wolfrey Avenue (Don River)

The Toronto Community Council had before it a report (November 25, 1998) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) refuse to issue a permit for tree removal; OR
- (2) issue a permit for tree removal conditional on the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism.

On motion by Councillor McConnell, the Toronto Community Council deferred consideration of the foregoing report until its meeting to be held on February 17, 1999.

(Mr. Don Finlayson and Ms. Sue Konynenburg, 63 Wolfrey Avenue, Toronto, Ontario, M4K 1K9; c.: Interested Persons; Andrew Pickett, Urban Forestry, parks and Recreation - Encl. - January 21, 1999)

(Clause No. 39(a), Report No. 2)

1.15 8 South Kingsway - Request for Approval of a Variance from Chapter 297, Signs, of The Former City of Toronto Municipal Code (High Park)

The Toronto Community Council had before it a report (October 27, 1997) from the Commissioner of Urban Planning and Development Services, and recommending that:

- (1) City Council approve Application No. 998050 respecting a minor variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit 16 illuminated signs and 2 non-illuminated signs.
- (2) The applicant be advised, upon approval of Application No. 998050, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

The Toronto Community Council also had before it a further report (December 23, 1998) from the Commissioner of Urban Planning and Development.

Mr. Don Jennison appeared before the Toronto Community Council in connection with the foregoing matter:

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council:

- (1) deferred consideration of this matter until City Council has considered the previously requested report on design guidelines for automobile service stations; and
- (2) requested staff to continue its efforts to persuade Petro-Canada to relocate to a more appropriate site within the City.

(Interested Persons; c.: Lora Mazzocca, Urban Planning and Development Services; Barry Brooks, Urban Planning and Development Services - Encl. - January 25, 1999)

(Clause No. 39(b), Report No. 2)

1.16 276 King Street West - Application No. 998048: Request for Approval of Variances from Chapter 297, Signs, of The Former City of Toronto Municipal Code (Downtown)

The Toronto Community Council had before it a report (December 31, 1998) from the Commissioner of Urban Planning and Development Services.

On motion by Councillor Pantalone, the Toronto Community Council recommended to City Council that:

- (1) City Council approve, in part, Application No. 998048 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to maintain one illuminated mural sign at 276 King Street West;
- (2) City Council refuse, in part, Application No. 998048 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to maintain one illuminated awning sign at 276 King Street West; and
- (3) The applicant be advised, upon partial approval of Application No. 998048, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

(Clause No. 15, Report No. 2)

1.17 42 Walker Avenue - Appeal - Front Yard Parking (Midtown)

The Toronto Community Council had before it a report (January 5, 1999) from the Manager, Right of Way Management, Transportation Services, District 1, and recommending that City Council deny the request for an exemption from the by-law to permit front yard parking at 42 Walker Avenue, as such a request does not comply with Chapter 400 of the former City of Toronto Municipal Code.

On motion by Councillor Bossons, the Toronto Community Council deferred consideration of the foregoing report.

(Mr. Paul Richardson, 42 Walker Avenue, Toronto, Ontario, M4V 1G2; c.: Interested Persons; Nino Pellegrini, Works and Emergency Services - Encl. - January 21, 1999)

(Clause No. 39(c), Report No. 2)

1.18 2549 Yonge Street - Appeal of Denial of Application for a Boulevard Cafe (North Toronto)

The Toronto Community Council had before it a report (January 4, 1999) from the Manager, Right of Way Management, Transportation Services, District 1, and recommending that:

- (1) City Council deny the application for a boulevard cafe at 2549 Yonge Street; OR
- (2) City Council approve the application for a boulevard cafe at 2549 Yonge Street, as shown on Appendix 'A', notwithstanding the negative response to the public notice, and that such approval be subject to the applicant complying with the criteria set out in § 313-36 of Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code.

Mr. Luis Carvalho, applicant, appeared before the Toronto Community Council in connection with the foregoing matter.

On motion by Councillor Walker, the Toronto Community Council recommended that City Council approve the application for a boulevard cafe at 2549 Yonge Street, as shown on Appendix 'A', attached to the report (January 4, 1999) from the Manager, Right of Way Management, Transportation Services, District 1, notwithstanding the negative response to the public notice, and that such approval be subject to the applicant complying with the criteria set out in § 313-36 of Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code.

(Clause No. 16, Report No. 2)

1.19 Tree Removal - 250 Lytton Boulevard (North Toronto)

The Toronto Community Council had before it a report (January 4, 1999) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) issue a permit for tree removal conditional on the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism; OR
- (2) refuse to issue a permit for tree removal.

The Toronto Community Council also had before it a communication (January 14, 1999) from J.F. Hankinson.

On motion by Councillor Walker, the Toronto Community Council recommended that City Council issue a permit for tree removal at 250 Lytton Boulevard, conditional on the applicant agreeing to plant a replacement tree to the satisfaction of the Commissioner of Economic Development, Culture & Tourism.

(Clause No. 17, Report No. 2)

1.20 Tree Removal - 20A Thornwood Road (Midtown)

The Toronto Community Council had before it a report (January 4, 1998) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) refuse to issue a permit for tree removal; OR
- (2) issue a permit for tree removal conditional on the applicant providing a detailed landscape plan for the property to be approved by the Commissioner of Economic Development, Culture & Tourism.

The Toronto Community Council also had before it a communication (January 18, 1999) from Ms. Heather deVeber.

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

- Mr. Stephen MacDonald, applicant; and
- Mr. Lewis Arnold, Arborist, on behalf of the applicant.

On motion by Councillor Bossons, the Toronto Community Council recommended that City Council issue a permit for tree removal at 20A Thornwood Road, conditional on the applicant:

- (1) providing a detailed landscape plan for the property to be approved by the Commissioner of Economic Development, Culture & Tourism; and
- (2) making a contribution to cover the cost of a replacement tree, satisfactory to the Commissioner of Economic Development, Culture and Tourism.

(Clause No. 18, Report No. 2)

1.21 Tree Removal - 706 1/2 Gerrard Street East (Don River)

The Toronto Community Council had before it a report (January 4, 1999) from the Commissioner, Economic Development, Culture & Tourism, and recommending that City Council:

- (1) refuse to issue a permit for tree removal; OR
- (2) issue a permit for tree removal.

On motion by Councillor Layton, the Toronto Community Council:

- (1) deferred consideration of the foregoing report; and
- (2) requested the City Arborist and a Cantonese-speaking official from the Department of Public Health to conduct a site visit with the applicant and report back to the Toronto Community Council on a pruning strategy.

(City Arborist; Medical Officer of Health; c.: Interested Persons; Andrew Pickett, Works and Emergency Services - Encl. - January 22, 1999)

(Clause No. 39(d), Report No. 2)

1.22 56, 60 St. Clair Avenue West, 55, 55R, 57, 59 And 61 Delisle Avenue, Toronto - Request For The Removal Of One City Owned Tree And Three Trees Situated On Private Property (Midtown)

The Toronto Community Council had before it a report (January 4, 1999) from the Commissioner, Economic Development, Culture & Tourism, and recommending that if Toronto Community Council approves the request for the removal of one City owned tree and three trees situated on private property indicated in this report, that such approval be conditional on:

- (1) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Official Plan Amendment and Rezoning Application No. 12372 commence which warrant the destruction of the trees;

- (2) the applicant submitting a certified cheque in the amount of \$5,823.54 to cover the value of the City owned tree, its' removal and replacement costs; and
- (3) the applicant planting a minimum of thirty-three (33) trees in accordance with Landscape Plans L1A, L1 and L2 prepared by Vertechs Design Inc., date stamped as received by Urban Planning & Development Services on December 11, 1998 and on file with the Commissioner of Urban Planning & Development Services.

The Toronto Community Council also had before it a communication (January 19, 1999) from Councillors Bossons and Adams, addressed to Ms. Daphne E. M. Wagner.

On motion by Councillor Adams, the Toronto Community Council deferred consideration of the foregoing report until the final report from the Commissioner of Urban Planning and Development Services respecting Rezoning Application No. 12372 is submitted to the Toronto Community Council.

(Commissioner of Urban Planning and Development Services; c.: Interested Persons; Gary R. LeBlanc, Economic Development, Culture and Tourism - Encl. - January 21, 1999)

(Clause No. 39(e), Report No. 2)

1.23 Sewer Connection Blockage Inspection And Repair Program, And Tree Root Removal And Grant Policy (East Toronto)

The Toronto Community Council had before it a communication (November 26, 1998) from the City Clerk, forwarding Clause No. 2 of Report No.10, titled, "Sewer Connection Blockage Inspection and Repair Program, and Tree Root Removal and Grant Policy", which was struck out by City Council at its meeting held on November 25, 26 and 27, 1998 and referred to all Community Councils for further consideration, with the request that the Community Councils forward their recommendations with respect to the Repair Program, and Tree Root Removal and Grant Policy to the Works and Utilities Committee.

The Toronto Community Council also had before it a communication (November 26, 1998) from Councillor Jakobek.

On motion by Councillor Jakobek, the Toronto Community Council recommended to the Works and Utilities Committee that:

- (1) recommendation No. 2(e) of the report (October 21, 1998) from the General Manager, Water and Wastewater Services, contained in Clause No. 2 of The Works

and Utilities Committee Report No. 10, be amended by deleting the words "\$500.00" and inserting in lieu thereof the words, "\$1,000"; and

- (2) low-income (as previously defined by Council for property tax purposes) property owners be exempt from the limits on assistance and instead, be provided a grant for the full cost of repair, or partial renewal or complete renewal, as the case may be, of a drain, or drains between the City property line and the building where drain blockage is the result of roots from a City-owned tree, as verified by City staff.

On motion by Councillor Bussin, the Toronto Community Council also requested the Commissioner of Works and Emergency Services to report to the Toronto Community Council, and thereon to the Works and Utilities Committee, on an appeal mechanism.

(Works and Utilities Committee; c.: Commissioner of Works and Emergency Services; General Manager, Water and Wastewater Services; Ms. Jeannette Ellis, 39 Patricia Avenue, Toronto, Ontario, M4C 5K2; Ms. Kimberly Crichton, 156 Felstead Avenue, Toronto, Ontario, M4J 1G5 - Encl. - January 27, 1999)

(Clause No. 39(f), Report No. 2)

1.24 Interim Control By-law No. 726-1998: Hazelton Avenue, Webster Avenue, Berryman Street And Bishop Street - Ontario Municipal Board Appeal - Retention Of Outside Consultants (Midtown)

The Toronto Community Council had before it a report (December 30, 1998) from the City Solicitor, recommending that a maximum of \$25,000.00 be allocated from a Corporate Contingency Account to retain outside consultants to testify at an Ontario Municipal Board hearing yet to be scheduled to hear appeals of Interim Control By-law No. 726-1998 passed by the City.

The Toronto Community Council also had before it the following report/communications:

- (January 4, 1999) from the Commissioner of Urban Planning and Development Services recommending that the in effect time period of Interim Control By-law 726-1998 be extended for three months;
- (January 19, 1999) from Mr. Michael G. Kovacevic, Smith Lyons, Barristers & Solicitors;

- (January 19, 1999) from Mr. Robert E. Jarvis, Meretsky, Jarvis & Associates.

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

- Mr. Robert E. Jarvis, Q.C., Barrister & Solicitor, Meretsky Jarvis & Associates;
- Mrs. Marie Smith, Toronto, Ontario;
- Mr. Alexander Kaszuba, Toronto, Ontario; and
- Mr. Robert Truman, Truman & Associates, on behalf of residents in the area.

On motion by Councillor Adams, the Toronto Community Council recommended that:

- (1) the in effect time period of Interim Control By-law 726-1998 be extended for two months; and
- (2) a maximum of \$25,000.00 be allocated from a Corporate Contingency Account to retain outside consultants to testify at an Ontario Municipal Board hearing yet to be scheduled to hear appeals of Interim Control By-law No. 726-1998 passed by the City.

(Clause No. 1, Report No. 2)

1.25 Winchester Square - Final Settlement Of Issues Before The Ontario Municipal Board (Don River)

The Toronto Community Council had before it a report (December 31, 1998) from the Commissioner of Urban Planning and Development Services, and recommending that the previous authorization concerning a Section 37 Agreement for Winchester Square (Urban Development Services report dated September 22, 1997) be amended to delete the provisions respecting requirements for the provision of community service and facility space as well as the education space and to replace such with the requirement that the owner pay to the City the sum of \$500,000 for the purpose of contributing to community facility development in the St. James Town area and pay to the Toronto Board of Education the sum of \$150,000 in lieu of the provision of education space.

The Toronto Community Council also had before it Clause 33 of Report No. 21 of the former City of Toronto Executive Committee, titled, "Request for Status Report on Winchester Square - Issues Before the OMB (Ward 7)" which was amended and adopted by the former City of Toronto City Council at its meeting held on September 22 and 23, 1997

On motion by Councillor Disero, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 19, Report No. 2)

1.26 86 Glenview Avenue: Application For Consent Under Chapter 276, Article I Of The Former City Of Toronto Municipal Code To Allow The Construction Of A Deck Within The Chatsworth Ravine At The Rear Of The New House Which Is Located Outside The Ravine (North Toronto)

The Toronto Community Council had before it a report (January 4, 1998) from the Commissioner of Urban Planning and Development Services, recommending

- (1) That City Council consent to Application No. 098053 respecting 86 Glenview Avenue to permit the construction of a deck located within the Chatsworth Ravine, on the condition that the owner enter into a Ravine Control Agreement requiring:
 - (a) that the owner shall provide and maintain the landscaping and ravine improvements substantially in accordance with Plan No. A-1, A-2, A-4, A-5, and A-6, date stamped as received on November 30, 1998, prepared by Makow Associates Architect Inc., as on file with the Commissioner of Urban Planning and Development Services.
- (2) That the owner submit sediment and erosion control details to the Toronto and Region Conservation Authority for review and approval prior to the issuance of a building permit for the deck.
- (3) That the City Solicitor be authorized to prepare the necessary agreement.
- (4) That the owner be advised to remove all landfill and construction debris from the site, to not place any fill within the ravine and to contact the Forestry Section, Parks and Recreation Division, Economic Development, Culture and Tourism Services, at 392-1900, upon the completion of all work as indicated on the approved plans.

On motion by Councillor Walker, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 20, Report No. 2)

1.27 Preliminary Report, Official Plan And Rezoning Application No. 198018, 173-181 Yonge Street and 16 Queen Street East, to Permit An 18-storey Office Building With Retail Uses At Grade (Downtown)

The Toronto Community Council had before it a preliminary report (December 17, 1998) from the Commissioner of Urban Planning and Development Services, and recommending:

- (1) That I be requested to hold a public meeting in the community to discuss the application, and to notify owners and tenants within 300 metres of the site and the Ward Councillors.
- (2) That the owner be advised that, prior to final Council approval, the owner may be required to submit a Noise Impact Statement and a Transportation Demand Management Plan in accordance with Council's requirements. The owner will be further advised of any requirements by the Commissioner of Works and Emergency Services.

On motion by Councillor Chow, the Toronto Community Council adopted the foregoing preliminary report.

(Commissioner of Urban Planning and Development Services - No Encl. - Executive Director and Chief Planner - No Encl. - Commissioner of Works and Emergency Services; Toronto Community Council Solicitor, Attn: Sylvia Watson; Director, City Planning; Chief Building Official; Director, Development & Support, Parks & Recreation; Director, Housing Operations; Director, Property Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police - Attn: Sergeant Paul Cocksedge - Encl. - All Interested Persons - No Encl. - cc: Urban Planning and Development Services - No Encl. - January 22, 1999)

(Clause No. 39(g), Report No. 2)

1.28 Preliminary Report On Application No. 198017 To Amend The Official Plan And Zoning By-law To Permit The Construction Of A Nine Storey Mixed-use Building, With Up To 75 Residential Units And Retail At Grade, At 457, 459, 463, 467, 471 College Street And 301 Markham Street (Trinity-Niagara)

The Toronto Community Council had before it a preliminary report (December 22, 1998) from the Commissioner of Urban Planning and Development Services, and recommending that:

- (1) I be requested to hold a public meeting in the area to discuss the application and to notify tenants and owners within 300 metres of the site , area BIA's , residents associations and the Ward Councillors.
- (2) The owner be advised that, prior to final Council approval of this project, the owner may be required to submit a Noise Impact Statement. The owner will be further advised of these requirements, as they relate to this project, by the Commissioner Works and Emergency Services.

On motion by Councillor Pantalone, the Toronto Community Council adopted the foregoing preliminary report.

(Clause No. 39(h), Report No. 2)

1.29 Preliminary Report On 64 Colgate Avenue - Application No. 298008 For An Official Plan Amendment, Rezoning And Site Plan Approval To Permit A 6 Storey Building With Live/work Units (Don River)

The Toronto Community Council had before it a report (December 31, 1998) from the Commissioner of Urban Planning and Development Services, and recommending that:

- (1) I be requested to hold a public meeting in the community on January 5, 1999 to discuss the application and to notify owners and tenants within 300 metres of the site and the Ward Councillors.
- (2) The owner be advised that, prior to final Council approval of this project, the owner may be required to submit a Noise Impact Statement in accordance with City Council's requirements. The owner will be further advised of these requirements, as they relate to this project, by the Commissioner of Works and Emergency Services.

On motion by Councillor McConnell, the Toronto Community Council amended the foregoing preliminary report by adding a new Recommendation No. (3) to read:

- “(3) a further community meeting be held prior to the submission of the final report from the Commissioner of Urban Planning and Development Services, to discuss neighbourhood issues.”

and adopted the preliminary report, as amended.

(Commissioner of Urban Planning and Development Services - No Encl. - Executive Director and Chief Planner - No Encl. - Commissioner of Works and Emergency Services; Toronto Community Council Solicitor, Attn: Sylvia Watson; Director, City Planning; Chief Building Official; Director, Development & Support, Parks & Recreation; Director, Housing Operations; Director, Property Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police - Attn: Sergeant Paul Cocksedge - Encl. - All Interested Persons - No Encl. - cc: Denise Graham, Urban Planning and Development Services - No Encl. - January 22, 1999)

(Clause No. 39(i), Report No. 2)

1.30 Proposed Amendment To Section 37 Agreement - 33 Bay Street - World Trade Centre (Downtown)

The Toronto Community Council had before it a report (January 6, 1999) from the Commissioner of Urban Planning and Development Services, and recommending that City Council authorize the City Solicitor, in consultation with the Commissioner of Urban Planning and Development Services, to amend the Section 37 Agreement for the World Trade Centre development generally in accordance with the terms set out in this report, and that the appropriate City officials be authorized to enter into such agreement.

On motion by Councillor Chow, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 21, Report No. 2)

1.31 2300 Yonge Street, Application No. 998091: Request For Approval Of A Variance From Chapter 297, Signs, Of The Former City Of Toronto Municipal Code (North Toronto)

The Toronto Community Council had before it a report (November 26, 1998) from the Commissioner of Urban Planning and Development Services, and recommending that:

- (1) City Council approve Application No. 998091 respecting a minor variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit two illuminated "blade" signs.
- (2) The applicant be advised, upon approval of Application No. 998091, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

The Toronto Community Council also had before it the following communication/reports:

- (December 2, 1998) from Mr. David Y. Green, Yonge-Eglinton Centre;
- (January 13, 1999) from the Commissioner of Urban Planning and Development Services - Further Report; and
- (January 19, 1999) from the Commissioner of Urban Planning and Development Services - Further Report.

On motion by Councillor Walker, the Toronto Community Council:

- (1) deferred consideration of the foregoing matter until its meeting to be held on February 17, 1999, for deputations; and
- (2) requested the Commissioner of Urban Planning and Development Services to report further at that time.

(Commissioner of Urban Planning and Development Services; c.: Pride Signs Ltd., 280 Holiday Inn Drive, Cambridge, Ontario, N3C 1Z4; Metropolitan Life Insurance, 2300 Yonge Street, P.O. Box 2300, Toronto, Ontario, M4P 1E4; Lora Mazzocca, Urban Planning and Development Services - Encl. - January 22, 1999)

(Clause No. 39(j), Report No. 2)

1.32 3080 Yonge Street, Application No. 998068: Request For Approval Of Variances From Chapter 297, Signs, Of The Former City Of Toronto Municipal Code (North Toronto)

The Toronto Community Council had before it a report (January 6, 1999) from the Commissioner of Urban Planning and Development Services, and recommending:

- (1) That City Council approve Application No. 998068, respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit two illuminated, wrap around, signs on two columns of the building at 3080 Yonge Street on condition that:
 - (i) an existing unapproved, parking sign near the public sidewalk on the Yonge Street frontage of the building is removed prior to issuance of the necessary permits.
- (2) That the applicant be advised, upon approval of Application No. 998068, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

On motion by Councillor Walker, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 22, Report No. 2)

1.33 548 Richmond Street East - No. 998081: Request For Approval Of Variances From Chapter 297, Signs, Of The Former City Of Toronto Municipal Code (Don River)

The Toronto Community Council had before it a report (January 5, 1999) from the Commissioner of Urban Planning and Development Services, and recommending that:

- (1) City Council approve Application No. 998081 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit four illuminated outrigger signs, four non-illuminated leader board signs and one illuminated pedestal sign.
- (2) The applicant be advised, upon approval of Application No. 998081, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

On motion by Councillor McConnell, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

Councillor Bossons was recorded as having voted in the negative with respect to this matter.

(Clause No. 22, Report No. 2)

1.34 181 Bay Street, Application No. 998096: Request For Approval Of A Variance From Chapter 297, Signs Of The Former City Of Toronto Municipal Code (Downtown)

The Toronto Community Council had before it a report (January 6, 1999) from the Commissioner of Urban Planning and Development Services and recommending:

- (1) That City Council approve Application No. 998096 respecting a minor variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit one non-illuminated fascia sign in the form of individual letters which identifies the firm of 'Merrill Lynch' to be located on the west elevation at 181 Bay Street.
- (2) That the applicant be advised, upon approval of Application No. 998096, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

On motion by Councillor Chow, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 22, Report No. 2)

1.35 48 Yonge Street, Application No. 998084: Request For Approval Of A Variance From Chapter 297, Signs, Of The Former City Of Toronto Municipal Code (Downtown)

The Toronto Community Council had before it a report (January 6, 1999) from the Commissioner of Urban Planning and Development Services, and recommending:

- (1) That City Council approve Application No. 998084 respecting a minor variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to install one illuminated fascia sign at south end of the east elevation at 48 Yonge Street.

- (2) That the applicant be advised, upon approval of Application No. 998084, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

On motion by Councillor Chow, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 22, Report No. 2)

1.36 118 Yonge Street - Request For Approval Of A Variance From Chapter 297, Signs, Of The Former City Of Toronto Municipal Code (Downtown)

The Toronto Community Council had before it a report (December 31, 1998) from the Commissioner of Urban Planning and Development Services, and recommending:

- (1) That City Council approve Application No. 998056 respecting a minor variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit two illuminated, fascia signs for identification purposes in the form of a logo and corporate name at 118 Yonge Street.
- (2) That the applicant be advised, upon approval of Application No. 998056, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

On motion by Councillor Chow, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 22, Report No. 2)

1.37 Ontario Municipal Board Decision: 85 Bloor Street East And 44 Hayden Street (Downtown)

The Toronto Community Council had before it a report (January 4, 1999) from the City Solicitor, and recommending that this report be received for information.

On motion by Councillor Chow, the Toronto Community Council received the foregoing report for information.

(Interested Persons; c.: City Solicitor, Legal Services; Raymond M. Feig, Solicitor - Encl. - January 22, 1999)

(Clause No. 39(k), Report No. 2)

1.38 Extension Of Permit Parking Hours On Clendenan Avenue, Between Annette Street And Dundas Street West (High Park)

The Toronto Community Council had before it a report (January 6, 1999) from the Manager, Right of Way, Management, Transportation Services, District 1, and recommending that:

- (1) the permit parking hours of operation on Clendenan Avenue, between Annette Street and Dundas Street West, be extended from 12:01 a.m. to 7:00 a.m., 7 days a week, to 12:01 a.m. to 10:00 a.m., 7 days a week;
- (2) Schedule P of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code be amended to incorporate Clendenan Avenue, between Annette Street and Dundas Street West; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council deferred consideration of the foregoing report until its meeting to be held on February 17, 1999, for deputations.

(Manager, Right of Way, Management, Transportation Services, District 1; c.: Bob Bonner, Works and Emergency Services - Encl. - January 22, 1999)

(Clause No. 39(l), Report No. 2)

1.39 Introduction Of Permit Parking On The South Side Of Ostend Avenue, Between Durie Street And Windermere Avenue (High Park)

The Toronto Community Council had before it a report (January 5, 1999) from the Manager, Right of Way Management, Transportation Services, District 1, and recommending that:

- (1) permit parking be introduced on the south side of Ostend Avenue, between Durie Street and Windermere Avenue, on a street name basis, to operate during the hours of 12:01 a.m. and 7:00 a.m., 7 days a week;
- (2) Schedule A of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be amended to incorporate the south side of Ostend Avenue, between Durie Street and Windermere Avenue; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 23, Report No. 2)

1.40 Installation Of On-street Disabled Persons Parking Spaces (Davenport And Don River)

The Toronto Community Council had before it a report (November 25, 1998) from the Director, Transportation Services, District 1, and recommending:

- (1) That the installation of disabled on-street parking spaces as noted in Table "A" of this report be approved; and
- (2) That the appropriate City Officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

The Toronto Community Council also had before it the following:

- Clause 13 of Report No. 16 of the Toronto Community Council, headed "Installation of On-Street Disabled Persons Parking Spaces - Millbrook Crescent (Don River)", as adopted by the Council of the City of Toronto on December 16 and 17, 1998;
- Status Report (January 19, 1999) from the City Solicitor respecting the Acquisition of Lands for Public Lane Purposes at the rear of 357 to 399 Bartlett Avenue North and 448, 450 and 462 to 492 Salem Avenue North.

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council recommended to City Council that the installation of disabled on-street parking on Bartlett Avenue North, east side, from a point 158 metres south of Davenport Road to a point 5.5 metres further south, be approved.

(Clause No. 24, Report No. 2)

1.41 Briar Hill Avenue Between Caldow Road And Chaplin Crescent - Installation Of Speed Humps. (North Toronto)

The Toronto Community Council had before it a report (November 25, 1998) from the Director, Transportation Services District 1, and recommending:

- (1) That approval be given to alter sections of the roadway on Briar Hill Avenue, from Caldow Road to Chaplin Crescent for traffic calming purposes as described below, with implementation subject to the favourable results of polling of the affected residents pursuant to the policy related to speed hump installation as adopted by the former City of Toronto Council:

“The construction of speed humps on BRIAR HILL AVENUE from Caldow Road to Chaplin Crescent, generally as shown on the attached print of Drawing No. 421F-5282, dated October, 1998,”

- (2) That the speed limit be reduced from forty kilometres per hour to thirty kilometres per hour on Briar Hill Avenue from Caldow Road to Chaplin Crescent, coincident with the implementation of the traffic calming measures; and
- (3) That the appropriate City Officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that may be required.

On motion by Councillor Walker, the Toronto Community Council recommended that Council receive this matter.

(Clause No. 25, Report No. 2)

1.42 320-328 Adelaide Street East - Construction Of An Underground Pedestrian Tunnel (Downtown)

The Toronto Community Council had before it a report (January 4, 1999) from the Manager, Right of Way Management, Transportation Services, District 1, and recommending that City Council approve the construction of an underground pedestrian tunnel diagonally under and across the City lane, connecting the rear of the proposed building at 100 Sherbourne Street to a proposed building at 320-328 Adelaide Street East, subject to the respective owners of the buildings, Sherbourne Studios Inc., Attention: Plazacorp, Suite 202, 3845 Bathurst Street, Downsview, Ontario M3H 3N2 and 1073539 Ontario Limited, Suite 850, 439 University Avenue, Toronto, Ontario M5G 1Y8, and such other licensees as may be required by the City Solicitor to enter into an agreement with the City agreeing to:

- (a) Indemnify the City of Toronto from and against all actions, suits, claims or demands and from all loss, costs, damages, charges and expenses that may result from such permission granted;
- (b) Maintain the tunnel in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (c) Remove the tunnel upon receiving notice so to do with the understanding that the City shall not give such notice in the first 75 years following completion of the tunnel or for the life of the proposed building at 100 Sherbourne Street (also known as 311 Richmond Street East) and 320-328 Adelaide Street East (also known as 90R Sherbourne Street), whichever period is less;
- (d) Permit additions to such tunnel to allow additional buildings to be serviced and to permit and pay for such alterations and modifications to such tunnel as may be required at any time by the City to serve the public interest;
- (e) Relocate any underground pipes or other connections including the abandonment of a portion of the City sewer and installation of a new catch basin, that may be required to facilitate the construction of the new tunnel connection to the satisfaction of the Commissioner of Works and Emergency Services;
- (f) Obtain the necessary approval from Toronto Hydro Electric Systems;
- (g) Pay an annual rental fee, as determined by the Commissioner of Corporate Services; and

- (h) Accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the Corporation.

On motion by Councillor Chow, the Toronto Community Council recommended to City Council that:

- (1) the foregoing report from the Manager, Right of Way, Management, Transportation Services, District 1 be adopted; and
- (2) the Toronto District Heating Corporation be consulted with regard to the possibility of district energy for this project.

(Clause No. 26, Report No. 2)

1.43 Lay Out And Dedication For Public Highway Purposes Of The 0.3 Metre Wide City-owned Reserve Strip At The North End Of Alberta Avenue - (Davenport)

The Toronto Community Council had before it a report (December 9, 1998) from the Director, Transportation Services - District 1, Works and Emergency Services, and recommending:

- (1) That approval be granted to incorporate the 0.3 metre wide reserve strip, shown on the attached Plan SYE2901, into Alberta Avenue;
- (2) That the 0.3 metre wide reserve strip shown hatched on the attached Plan SYE2901, be laid out and dedicated for public highway purposes; and
- (3) That the appropriate City Officials be authorized to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that might be necessary.

On motion by Councillor Fotinos, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 27, Report No. 2)

1.44 Installation of a Snow Melting System - 61 Hillholm Road (Midtown)

The Toronto Community Council had before it a report (January 4, 1998) from the Manager, Right of Way Management, Transportation Services, District 1, and recommending that City Council approve the installation of a snow melting system within the City's right of way fronting 61 Hillholm Road, subject to the owner entering into an agreement with the City of Toronto, as prescribed under Chapter 313 of the former City of Toronto Municipal Code, and agreeing to:

- (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted;
- (b) maintain the snow melting system in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (c) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City; and
- (d) remove the snow melting system upon receiving 90 days notice from the City so to do.

On motion by Councillor Adams, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 28, Report No. 2)

1.45 Designation Of 84 Woodlawn Avenue East (Midtown)

The Toronto Community Council had before it a report (December 7, 1998) from the City Clerk, and recommending that authority be granted for the introduction of the necessary Bill in Council to designate 84 Woodlawn Avenue East for architectural and historical reasons under Part IV of the Ontario Heritage Act, and that the appropriate City Officials be directed to take whatever action may be necessary to comply with the provision of the said Act in respect to such designation.

On motion by Councillor Bossons, the Toronto Community Council recommended to City Council that:

- (1) authority be granted for the introduction of the necessary Bill in Council to designate 84 Woodlawn Avenue East for architectural and historical reasons under Part IV of

the Ontario Heritage Act, and that the appropriate City Officials be directed to take whatever action may be necessary to comply with the provision of the said Act in respect to such designation; and

- (2) the owners be thanked for their contribution towards the preservation of historical buildings in the City of Toronto.

(Clause No. 29, Report No. 2)

1.46 Nomination - Swansea Town Hall Board Of Management (High Park)

The Toronto Community Council had before it a communication (January 5, 1999) from Ms. Sally Dillon, Swansea Town Hall, Community Centre.

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council recommended to City Council that Ms. Joyce Reid be appointed to the Board of Management of the Swansea Town Hall Community Centre to replace Ms. Catherine Armstrong, on an interim basis, at the pleasure of Council, and until her successor is appointed.

(Clause No. 30, Report No. 2)

1.47 Naming Of Public Lane At 322 Clinton Street (Trinity-Niagara)

The Toronto Community Council had before it a communication (January 7, 1999) from Councillor Pantalone.

The Toronto Community Council also had before it a report (January 14, 1999) from Executive Director, Technical Services Division, Works and Emergency Services.

On motion by Councillor Pantalone, the Toronto Community Council recommended to City Council the adoption of the report (January 14, 1999) from the Executive Director, Technical Services Division, Works and Emergency Services.

(Clause No. 31, Report No. 2)

1.48 Designation Of 540 Dovercourt Road (Massey-Quick House) (Trinity-Niagara)

The Toronto Community Council also had before it a report (January 12, 1999) from the City Clerk, and recommending that authority be granted for the introduction of the necessary Bill in Council to designate 540 Dovercourt Road (Massey-Quick House) (Trinity Niagara) for architectural and historical reasons under Part IV of the Ontario Heritage Act, and the appropriate City Officials be directed to take whatever action may be necessary to comply with the provisions of the said Act in respect to such designation.

On motion by Councillor Pantalone, the Toronto Community Council recommended to City Council that authority be granted for the introduction of the necessary Bill in Council to designate 540 Dovercourt Road (Massey-Quick House) (Trinity Niagara) for architectural and historical reasons under Part IV of the Ontario Heritage Act, and the appropriate City Officials be directed to take whatever action may be necessary to comply with the provisions of the said Act in respect to such designation.

(Clause No. 32, Report No. 2)

1.49 Bremner Boulevard, From York Street To Lake Shore Boulevard West - Implementation Of Enhanced Parking/Standing Regulations (Downtown)

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a report (January 6, 1999) from Director, Transportation Services, District 1, Works and Emergency Services, and recommending:

- (1) That the parking prohibition at anytime on both sides of Bremner Boulevard from Lake Shore Boulevard West to York Street, be rescinded;
- (2) That standing be prohibited at anytime:
 - (a) on the south and west sides of Bremner Boulevard from York Street to Lake Shore Boulevard West;
 - (b) on the north side of Bremner Boulevard from York Street to the east end of the east-west leg;
 - (c) on the east side of Bremner Boulevard from the north end of the north-south leg to a point 20.0 metres south;
 - (d) on the east side of Bremner Boulevard from a point 50.0 metres south of the north end of the north-south leg to Lake Shore Boulevard West;

- (3) That standing be prohibited from 1:00 a.m. to 9:00 a.m., daily on the east side of Bremner Boulevard from a point 20.0 metres south of the north end of the north-south leg to a point 30.0 metres further south;
- (4) That a "Taxicab Stand" (6 vehicles), operating between the hours of 6:00 p.m. and 1:00 a.m., daily, be identified on the east side of Bremner Boulevard from a point 20.0 metres south of the north end of the north-south leg to a point 30.0 metres further south;
- (5) That parking be allowed for a maximum period of 15 minutes from 9:00 a.m. to 6:00 p.m., daily on the east side of Bremner Boulevard from a point 20.0 metres south of the north end of the north-south leg to a point 30.0 metres further south; and
- (6) That the appropriate City Officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

On motion by Councillor Chow, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 33, Report No. 2)

1.50 One-time Grant For The Fairlawn Community Centre (North Toronto)

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a report (January 12, 1999) from Councillor Walker, and recommending that the Toronto Community Council request the Commissioner of Economic Development, Culture and Tourism to report to the Toronto Community Council meeting to be held on February 17, 1999 on providing a one-time grant of \$3,486.00 to the Fairlawn Neighbourhood Centre for the purpose of purchasing and installing Neutral All Season Window Film

The Toronto Community Council also had before it a communication (January 13, 1999) from Ms. Anne Rawson, Program Coordinator, The Fairlawn Neighbourhood Centre.

On motion by Councillor Walker, the Toronto Community Council requested the Commissioner of Economic Development, Culture and Tourism to report to the Toronto Community Council or the Municipal Grants Review Committee, whichever is appropriate,

on providing a one-time grant of \$3,486.00 to the Fairlawn Neighbourhood Centre for the purpose of purchasing and installing Neutral All Season Window Film.

(Commissioner, Economic Development, Culture and Tourism; c.: Ms. Anne Rawson, Program Coordinator for the Fairlawn Neighbourhood Centre, 28 Fairlawn Avenue, Toronto, M5M 1S7 - Encl. - January 22, 1999)

(Clause No. 39(m), Report No. 2)

1.51 Melrose Avenue, From Greer Road To Jedburgh Road And St. Clements Avenue, From Castlewood Road To Caldow Road - Request For Speed Humps - Interim Report (North Toronto)

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a report (January 15, 1999) from the Director, Transportation Services District 1, and recommending that this report be received for information

On motion by Councillor Walker, the Toronto Community Council received the foregoing report for information.

(Mrs. Barbara Bruford, Melrose Traffic Control Committee, 112 Melrose Avenue, Toronto, Ontario, M5M 1Y7; c.: Director, Transportation Services District 1, Works and Emergency Services; Stephen Benjamin, Manager of Traffic Operations, District 1, Works and Emergency Services - Encl. - January 22, 1999)

(Clause No. 39(n), Report No. 2)

1.52 Bushell Avenue, East Side At The South End - Delineation Of A Day Care Pick-Up/Drop-Off Area With A 10-minute Maximum Parking Restriction (Don River)

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a report (January 8, 1999) from Director, Transportation Services District 1, Works and Emergency Services, and recommending:

- (1) That parking be allowed for a maximum period of 10 minutes from 7:00 a.m. to 5:00 p.m. Monday to Friday on the east side of Bushell Avenue from a point 15.0 metres north of the south end to a point 22.0 metres further north;

- (2) That the permit parking hours of operation be adjusted from 12:01 a.m. to 10:00 a.m., daily to apply from 12:01 a.m. to 7:00 a.m., daily on the east side of Bushell Avenue from a point 15.0 metres north of the south end to a point 22.0 metres further north;
- (3) That the appropriate City Officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor McConnell, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 34, Report No. 2)

1.53 2230, 2324 and 2336 Gerrard Street East (East of Main) - Proposed Settlement (East Toronto)

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a report (January 19, 1999) from the City Solicitor, and recommending:

- (1) That Council endorse the proposed settlement of the outstanding Official Plan, Zoning By-law and Subdivision appeals in connection with the East of Main lands on the basis set out in Section be of this Report; and
- (2) That the City Solicitor, with the assistance of relevant City officials, be authorized to take any action necessary including attendance at the Ontario Municipal Board to give effect to this settlement as described herein below, including preparation and the execution by the City's signing officers of Minutes of Settlement, and necessary Section 37 and Subdivision Agreements in a form satisfactory to the City Solicitor.

On motion by Councillor Bussin, the Toronto Community Council submitted this matter to Council without recommendation.

(Clause No. 35, Report No. 2)

1.54 Ontario Municipal Board Order - 43 Bernard Avenue (Midtown)

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a report (January 19, 1999) from the City Solicitor, and recommending that this report be received for information

On motion by Councillor Adams, the Toronto Community Council received the foregoing report for information and thanked the City Solicitor, the Commissioner of Urban Planning and Development Services and the Chief Building Official for their outstanding efforts in this regard.

(Interested Persons; c.: City Solicitor, legal Services; Commissioner of Urban Planning and Development; Chief Building Official; Marc Kemerer, Solicitor, Legal Services - Encl. - January 22, 1999)

(Clause No. 39(o), Report No. 2)

1.55 Ontario Municipal Board Order - 14 Boon Avenue (Davenport)

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a report (January 18, 1999) from the City Solicitor, and recommending that this report be received for information

On motion by Councillor Disero, the Toronto Community Council received the foregoing report for information.

(Interested Persons; c.: City Solicitor, Legal Services; Marc Kemerer, Solicitor, Legal Services - Encl. - January 22, 1999)

(Clause No. 39(p), Report No. 2)

1.56 Port Industrial District and portion of the East Bayfront - Work Program, Schedule and Consultation Process for the Part II Official Plan Review (Don River)

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a report (January 19, 1999) from the Commissioner of Urban Planning and Development Services, and recommending that:

1. Council adopt the work program, schedule and public consultation process set out in Sections 1, 2 and 3 of this report.

2. Council identify the Part II Official Plan review for the Port Industrial District and a portion of the East Bayfront and related issues as a corporate priority.

The Toronto Community Council also had before it a communication (January 20, 1999) from Mr. Don F. Given, Malone Given Parsons Ltd.

On motion by Councillor McConnell, the Toronto Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 36, Report No. 2)

1.57 2055 Danforth Avenue

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction of a communication (January 14, 1999) from Councillors Jakobek and Bussin.

The Toronto Community Council recommended to City Council the adoption of the following motion from Councillor Jakobek, seconded by Councillor Bussin:

WHEREAS the Committee of Adjustment on October 14, 1998, held a hearing for 2055 Danforth Avenue; and

WHEREAS the Committee of Adjustment, in its decision of October 21, 1998, refused the minor variance application for 2055 Danforth Avenue, on the grounds that the proposal cannot be deemed to be a desirable or appropriate development of the site due to its immediate impact on the neighbouring properties, that the magnitude of the requested variances, particularly for excess gross floor area, would result in an overdevelopment of the site and would not be within the general intent and purpose of the Official Plan for the Zoning By-law, and that the proposal does not come within the meaning of a minor variance; and

WHEREAS local residents appeared in opposition to the requested variances expressing concerns with respect to the siting and operation of the proposed facility and its potential intrusion upon their properties; and

WHEREAS the Urban Planning and Development Services Area wrote a letter expressing the opinion this proposal should be the subject of an application for rezoning and the Municipal Standards Division advised the Committee of

Adjustment of an injunction to be commenced with an intended compliance measure of authorization to the City to prevent the use of the property for the purposes of storage and building supplies; and

WHEREAS the Ontario Municipal Board will appoint the commencement of a hearing of this appeal on a date to be determined in April;

THEREFORE BE IT RESOLVED that the City Solicitor and planning staff be authorized to attend the scheduled Ontario Municipal Board hearing in support of the Committee of Adjustment decision for 2055 Danforth Avenue.

(Clause No. 37, Report No. 2)

1.58 An Application For A Liquor Licence For 1985 Queen Street East

On motion by Councillor Pantalone, the Toronto Community Council allowed the introduction a communication (Undated) from Councillor Jakobek.

The Toronto Community Council recommended to City Council the adoption of the following motion from Councillor Jakobek:

WHEREAS the Alcohol and Gaming Commission of Ontario will be considering an application for a liquor licence for Just Desserts, 1985 Queen Street East, at an upcoming hearing; and

WHEREAS the owner of 1985 Queen Street East ("the owner") is also the owner of the 7th Wave Restaurant, 1982 Queen Street East ("the 7th Wave"); and

WHEREAS the owner, in relation to his operation of the 7th Wave, was convicted (1) under the *Building Code Act, 1992* for constructing a front wall for the restaurant without a permit (2) under the Zoning By-law No. 438-86, as amended, for exceeding the allowable gross floor area in the operation of a restaurant, and (3) under Municipal Code Chapter 241, Noise, for projecting noise into a street or public place; and

WHEREAS the owner, in March and July of 1998, received fines pertaining to the above convictions as well as a court order prohibiting the owner from "continuing or repeating the offence of permitting noise or sound...to project into a street or public place"; and

WHEREAS local residents have complained of repeated noise and liquor license violations in relation to the operation of the 7th Wave; and

WHEREAS subsection 6(2)(h) of the Liquor Licence Act provides that an applicant is entitled to be issued a licence to sell liquor except if the licence is not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located; and

WHEREAS section 7.1 of Regulation 719 under the Liquor Licence Act states that, in the absence of receiving submissions to the contrary, the Board shall consider a resolution of the council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a licence to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of clause 6(2)(h) of the Act;

THEREFORE BE IT RESOLVED THAT:

- (1) City Council advise the Alcohol and Gaming Commission of Ontario that the issuance of a liquor licence with respect to Just Deserts, 1985 Queen Street East, is not in the public interest having regard to the needs and wishes of the residents of the municipality; and
- (2) the City Solicitor be authorized to attend the hearing on February 4, 1999, in opposition to the application.

(Clause No. 38, Report No. 2)

The Committee adjourned its meeting at 12:40 p.m.

Chair.

Toronto Community Council Minutes
Wednesday, January 20, 1999

Attendance:

January 20, 1999	9:30 a.m. - 12:40.p.m.
Rae(Chair)	x
Adams	x
Bossons	x
Bussin	x
Chow	x
Disero	x
Fotinos	x
Jakobek	x
Johnston	-
Korwin- Kuczynski	x
Layton	x
McConnell	x
Miller	x
Pantalone	x
Silva	x
Walker	x

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Mayor Lastman	-
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* Members were present for some or all of the time indicated.