

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Toronto South Community Council

Meeting No. 3

Tuesday, February 17, 2004

The Toronto South Community Council met on Tuesday, February 17, 2004, in Committee Room No. 1, 2nd Floor, City Hall, Toronto, commencing at 9:30 a.m.

On motion by Councillor Pantalone, the Toronto South Community Council confirmed the Minutes of its Meeting held on January 21, 2003.

3.1 Revocation of Vending Licences – Village of Yorkville Park (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (February 3, 2004) from the Manager, Municipal Licensing and Standards, respecting Revocation of Vending Licences – Village of Yorkville Park, and reviewing and recommending:

- (1) That the two existing vending licences issued to Nick Karagianis at Cumberland Street, south side, 6.7m west of Bellair Street, and Mete Karahasanoglu at Bellair Street, West Side 7.5 m south of Cumberland Street be revoked and that these vendors be offered the opportunity to relocate outside the existing Wards 20, 27 and 28 vending licence moratorium area.
- (2) That the existing vending licence issued to Mr. Tony Posch at Cumberland Street, south side 132.44m west of Bellair Street is maintained and the location is reviewed further as required.

The Toronto South Community Council also had before it the following:

- Clause 31 of Report No. 8 of the Toronto East York Community Council, headed “Revocation of Vending Licences – Village of Yorkville Park (Toronto Centre-Rosedale, Ward 27)”, which was before City Council at its meeting held on September 22, 23, 24 and 25, 2003 and referred to the Toronto South Community Council for further consideration; and
- communication (February 15, 2004) from the General Manager, Bloor-Yorkville Business Improvement Area

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On motion by Councillor Rae, with Councillor Pantalone in the Chair, the Toronto South Community Council recommended that:

- (1) the two existing vending licences issued to Nick Karagianis at Cumberland Street, south side, 6.7m west of Bellair Street, and Mete Karahasanoglu at Bellair Street, West Side 7.5 m south of Cumberland Street be revoked and that these vendors be offered the opportunity to relocate outside the existing Wards 20, 27 and 28 vending licence moratorium area.
- (2) the existing vending licence issued to Mr. Tony Posch at Cumberland Street, south side 132.44m west of Bellair Street is maintained and the location is reviewed further as required.

(Report 2, Clause 1)

3.2 Application to Amend the Official Plan and Zoning By-law - 26, 32, 34 Isabella Street and 33 Charles Street East (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a final report (January 23, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and Zoning By-law - 26, 32, 34 Isabella Street and 33 Charles Street East, and reviewing and recommending:

- (1) That City Council amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9;
- (2) That City Council amend the new Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 10;
- (3) That City Council amend the Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11;
- (4) That City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment, the new Official Plan Amendment and the draft Zoning By-law Amendment as may be required;
- (5) That City Council authorize the Commissioner of Urban Development Services to report directly to Council regarding the comments that are to be received from the Commissioner of Public Works and Emergency Services;

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- (6) That City Council, before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 agreement as described in this report;
- (7) That City Council, before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Heritage Easement agreement for the property located at 34 Isabella Street; and
- (8) That City Council require the owner to provide and maintain an irrigation system, at the applicants expense, 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 a back flow preventer to the satisfaction of the Commissioner of Works and Emergency Services, and requirements to maintain in good order and operation.

The Toronto South Community Council also had before it a a communication (February 16, 2004) from Kathryn Yudin

The Toronto South Community Council held a statutory public meeting on February 17, 2004 and notice was given in accordance with the *Planning Act*.

The following persons appeared before the Toronto South Community Council:

- Bruce Rivers, Children's Aid Society of Toronto;
- Michael Rosenberg;
- Gordon Davies, Canadian Lesbian and Gay Archives;
- Paul Gallagher, Children's Aid Society of Toronto;
- Ray Bacquie, iTrans Consulting Inc.;
- Valerie Hartling, President, CUPE Local 2316; and
- Frank Lewinberg, Urban Strategies Inc.

On motion by Councillor Rae, with Councillor McConnell in the Chair, the Toronto South Community Council recommended that the report (January 23, 2004) from the Director, Community Planning, South District be adopted, subject to:

- (1) amending Section 1(1) of the Draft Official Plan Amendment attached to the report by substituting "46,550" with "47,050";
- (2) amending Section 1(2) of the Draft Official Plan Amendment attached to the report by substituting "13,500" with "14,000";
- (3) amending Map 18 of the Draft Official Plan Amendment attached to the report by substituting the numbers "26.61" and "26.62";

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- (4) amending Section 1(7) of the Draft Zoning By-law attached to the report by substituting “13,500” with “14,000”;
- (5) amending Section 1(12) of the Draft Zoning By-law attached to the report by substituting the following:

“Parking spaces for the residential uses on Parcel B shall be provided and maintained on Parcel A and Parcel B in accordance with the following:

 - a) 0.26 parking spaces for each bachelor dwelling unit;
 - b) 0.44 parking spaces for each one-bedroom dwelling unit;
 - c) 0.66 parking spaces for each two-bedroom dwelling unit;
 - d) 1.05 parking spaces for each three-bedroom dwelling unit.

Of which no more than 40 parking spaces are to be shared with the building to be erected and used on Parcel A during the day.”
- (6) adding a new Subsection 1(13) to the Draft Zoning By-law attached to the report as follows:

“Parking spaces for the non-residential uses on Parcel A shall be provided and maintained on Parcel A and Parcel B at a ratio of not less than 1.0 parking space for each 75 square metres of non-residential gross floor area, of which no more than 40 parking spaces are to be shared with the building to be erected and used on Parcel B during the evening.”
- (7) amending Plan 1 and Plan 2 of the Draft Zoning By-law attached to the report by substituting the numbers “26.61” and “26.62”;
- (8) amending Subsection 1(13)(a) of the Draft Zoning By-law attached to the report by substituting the number “7.5” with “8”;
- (9) amending Subsection 1(13)(b) of the Draft Zoning By-law attached to the report by substituting the number “600” with “604” and
- (10) adding the sentence “and the area of the mechanical penthouse extends the full area of the floor below” at the end of Section 1(13)(c) of the Draft Zoning By-law attached to the report;
- (11) amending the by-law schedules in accordance with the above.

On motion by Councillor Chow, the Toronto South Community Council also requested the Commissioner of Corporate Services to assist the Children’s Aid Society in its swing space management and temporary parking during the transition period.

A motion by Councillor Walker, that the matter be referred back to the Commissioner of Urban Development Services for further consideration and community consultation, was voted on and lost.

(Letter sent to: Commissioner of Corporate Services; c: Director, Community Planning, South District; Lynda Macdonald, Manager, West Section – February 19, 2004)

(Report 2, Clause 2)

3.3 Application to Amend the Zoning By-law - 2261 Gerrard Street East (Beaches-East York, Ward 32)

The Toronto South Community Council had before it a final report (January 29, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Zoning By-law - 2261 Gerrard Street East, and recommending:

- (1) That City Council amend the Zoning By-law for the property known as 2261 Gerrard Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
- (2) That 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) That before introducing the necessary Bills to City Council for enactment, require the applicant to submit a letter undertaking to withdraw their appeal of the new Official Plan, adopted by City Council in November 2002, upon the coming into force of the implementing by-laws for the development;
- (4) That the owner shall submit to the Commissioner of Works and Emergency Services approved plans of the development, with sufficient horizontal and vertical dimensions of the exterior walls of the proposed townhouses for the purpose of preparing building envelope plans for site specific exemption by-laws. Such plans should be submitted at least 3 weeks prior to the introduction of a Bill in Council;
- (5) require the owner to obtain Site Plan Approval and enter into a Site Plan Undertaking with the City under Section 41 of the *Planning Act* to require such matters as the City deems appropriate, including the following:
 - (a) Provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development;

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- (b) In the event that individual municipal numbers are desired, provide a suitable name for the proposed private driveway/lane in accordance with the City of Toronto Street Naming Policy;
 - (c) Apply to the Commissioner of Works and Emergency Services for revised municipal numbering, including a site plan showing the entrances to the townhouses, prior to filing a formal application for a building permit;
 - (d) Submit, prior to the issuance of a building permit, site servicing plans that include locations of existing/proposed hydrants, a grading and drainage plan, and a storm water management plan to the satisfaction of the Commissioner of Works and Emergency Services;
 - (e) Include a clause in all offers of purchase and sale and in the common element condominium declaration advising all future owners that the refuse and recycling material generated by this project will be collected curb side on Gerrard Street East, and that refuse and recycling material must not be stored at the pick up location other than on collection days;
- (6) require the owner to apply for a Common Elements Condominium with respect to the private driveway and any other common elements, including underground services associated with the development;
- (7) that City Council advise the owner:
- (a) Of the need to make separate applications to the Commissioner of Works and Emergency Services for permits to carry out any works involving the construction in, or occupancy of, the Gerrard Street East right-of-way;
 - (b) That upon application for severance or exemption from Part Lot Control for the purpose of creating individual freehold townhouse units, the owner will be required, as a condition of approval, to apply for the registration of a common element condominium in respect of, among other things, the on-site driveways, municipal services and utilities;
 - (c) That the proposal requires conveyance of land for parks purposes, or payment in lieu thereof pursuant to Section 42 of the *Planning Act*;
 - (d) That the issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code;
 - (e) That the proposal is subject to Development Charges pursuant to By-law 476-1999, as amended;

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- (f) That the proposal is subject to Education Development Charges, pursuant to the Toronto Catholic District School Board By-law 2001 No. 148.

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

- (January 14, 2004) from Councillor Bussin addressed to the Director, Community Planning, South District;
- (February 13, 2004) from Neil Smiley, Fasken Martineau; and
- (February 14, 2004) from John H. Markle.

The Toronto South Community Council held a statutory public meeting on February 17, 2004 and notice was given in accordance with the *Planning Act*.

The following persons appeared before the Toronto South Community Council:

- Tom Barlow, Fasken Martineau, on behalf of the applicant;
- Michael Kimberley, Kimberley & Kimberley, on behalf of the applicant; and
- Jon Bodzinski.

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

- (1) the report (January 29, 2004) from the Director, Community Planning, South District be adopted; and
- (2) the eligible local portion from the cash-in-lieu of parkland dedication payment under Chapter 165 of the former City of Toronto Municipal Code be utilized for the Ed McCleverty Equal Access Playground located in Ted Reeve Park.

(Report 2, Clause 3)

3.4 Application to Amend the Official Plan and Zoning By-law - 825, 855 and 863 Bay Street (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a final report (February 3, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and Zoning By-law - 825, 855 and 863 Bay Street, and recommending:

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- (1) That City Council amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7;
- (2) That 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;
- (3) That City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (4) That City Council, before introducing the necessary Bills to City Council for enactment, require the owner to execute one or more agreements pursuant to Section 37 of the *Planning Act* satisfactory to the Commissioner of Urban Development Services and the City Solicitor, such agreement(s) to be registered against the title to the lands prior to the issuance of any building permit for the development to secure the following facilities, services, and matters:
 - (a) contributions in the amount of \$780,000.00 as directed by the Commissioner of Urban Development Services for capital improvements at 519 Church Street and for capital costs at Dundas Square;
 - (b) a contribution in the amount of \$20,000.00 as directed by the Commissioner of Urban Development Services for capital improvements at 32 Grenville Street;
 - (c) a public art contribution in accordance with the City of Toronto's public art programme for a value of not less than one percent of the cost of construction of all buildings and structures on the lands;
 - (d) architectural design and exterior materials satisfactory to the Commissioner of Urban Development Services; and
 - (e) the phasing the development of the lands and the timing of the contributions set out above in a manner satisfactory to the Commissioner of Urban Development Services;
- (5) That City Council, before introducing the necessary Bills to City Council, require the applicant to enter into an agreement to the satisfaction of the Commissioner of Works and Emergency Services and the City Solicitor securing the conveyance to the City, at nominal cost, a 0.26 m wide strip of land to the full extent of the site abutting the west limit of the north-south public lane, to a minimum depth of 0.5 m from the finished grade, such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to a right-of-way for access purposes in favour of the Grantor until such time as the said lands have been laid out and dedicated for public highway purposes, with such conveyance to occur prior to the earlier of the registration of a condominium plan or first occupancy of any building on the site;

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- (6) That City Council, before introducing the necessary Bills to City Council, require the applicant to enter into an agreement to the satisfaction of the Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services and the City Solicitor securing by appropriate legal mechanism public access to the widened sidewalk extending the full extent of the site abutting the east limit of Bay Street;
- (7) That City Council, before introducing the necessary bills in Council, require the owner to submit to the City Solicitor a letter undertaking to withdraw its appeal of the new Official Plan for the City of Toronto, dated April 10, 2003, once the site specific Official Plan amendment and zoning by-law come into force; and
- (8) That City Council require that the owners provide an irrigation system at the applicant's expense for all street trees in the public right-of-way with automatic timer at the applicant's expense and that the irrigation system be designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Commissioner of Works and Emergency Services, including requirements to maintain the entire system in continuing good order and operation.

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

- (February 2, 2004) from Jennifer Young; and
- (February 2, 2004) from Jennifer Young, submitting a petition with 11 signatures in opposition

The Toronto South Community Council held a statutory public meeting on February 17, 2004 and notice was given in accordance with the *Planning Act*.

The following persons appeared before the Toronto South Community Council:

- Calvin Lantz, McCarthy Tetrault, LLP, on behalf of the applicant; and
- Barry Fenton, Lanterra Developments, on behalf of the applicant.

On motion by Councillor Rae, with Councillor McConnell in the Chair, the Toronto South Community Council recommended the adoption of the report (February 3, 2004) from the Director, Community Planning, South District.

The above recommendation was adopted on the following division of votes:

Yeas: Councillors Rae, Chow, Davis, Fletcher, Giambrone, McConnell, Mihevc, Palacio, Pantalone – 9

Nays: Councillor Walker - 1

(Report 2, Clause 4)

3.5 Application to Amend the Official Plan and Zoning By-law - 169 John Street
(Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a final report (January 30, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and Zoning By-law - 169 John Street, and recommending:

- (1) That City Council amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 1;
- (2) That City Council amend Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2;
- (3) That City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (4) That City Council require that the Official Plan Amendment and Zoning By-law Amendment stipulate that the owner enter into an agreement pursuant to Section 37 of the *Planning Act* to implement the matters set out in Condition (5) of this report;
- (5) That City Council require the owner to:
 - (a) submit to the Commissioner of Works and Emergency Services, at least three weeks prior to the introduction of bills in Council final drawings of the development as approved by Toronto South Community Council with sufficient horizontal and vertical dimensions of the exterior walls of the proposed building to enable the preparation of building envelope plans;
 - (b) submit, prior to the issuance of a below-grade building permit, all environmental site assessment reports describing the current site conditions and the proposed remedial action plans to the Commissioner of Works and Emergency Services;
 - (c) pay all costs associated with the City retaining a third-party environmental peer reviewer and submit, prior to the issuance of a below grade building

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permit, a certified cheque payable to the City of Toronto in the amount of \$3,000.00 to cover the cost of a peer review;

- (d) submit to the Commissioner of Works and Emergency Services for review and acceptance, at least three weeks prior to the introduction of bills in Council, a site servicing assessment to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site is to be serviced;
- (e) pay for any improvements to the municipal infrastructure in connection with Recommendation 5(d) above, should it be determined that upgrades are required to the infrastructure to support this development, according to the site servicing assessment accepted by the Commissioner of Works and Emergency Services;
- (f) protect at all times the City-owned tree identified as a White Ash in the Arborist Report prepared by Bras d'Or Forestry Services, dated 27 March 2003, in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees and to the satisfaction of the Commissioner of Economic Development, Culture and Tourism as directed in a subsequent Site Plan Agreement for this development;
- (g) provide, prior to Site Plan Approval, a tree protection security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to Treasurer, City of Toronto, in the amount of \$ 8,200.00 to cover the appraised tree value, removal and replacement costs of City owned trees, such deposit to be drawn upon to cover all costs incurred by the City of Toronto if the City owned trees require maintenance or removal and replacement as a result of construction activities associated with this project;
- (h) provide, prior to the issuance of a building permit, a 5% cash-in-lieu of parkland dedication payment as required under Chapter 165 of the former City of Toronto Municipal Code;
- (i) include the following warning clause in any agreement of purchase and sale and/or condominium declaration:

“The owners of residential units on the south side of the building acknowledge that their views may be blocked or partially blocked by a structure or building which may be built on the lands to the south by the adjoining owner of the lands on the south side of the condominium.”

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

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- (February 15, 2004) from Philip Boswell;
- (February 15, 2004) from Gary Moriarty;
- (February 15, 2004) from C. Ramkhalawansingh;
- (February 12, 2004) from the Deputy Chief Building Official and Director of Building; and
- (February 17, 2004) from Phyllis Platt.

The Toronto South Community Council held a statutory public meeting on January 30, 2004 and notice was given in accordance with the *Planning Act*.

The following persons appeared before the Toronto South Community Council:

- Philip Boswell;
- Michael Rosenberg;
- Ceta Ramkhalawansingh;
- Shirley Beatty;
- Debbie McGuinness; and
- Kim Kovar, Aird & Berlis, LLP, on behalf of the applicant.

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

- (1) the application to amend the Official Plan and Zoning By-law for 169 John Street be refused; and
- (2) the proposed demolition of the existing residential building containing one dwelling unit, since there is no building permit issued for a replacement building, be refused.

(Report 2, Clause 5)

3.6 Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 566 Church Street (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (December 5, 2003) from the Director, Community Planning, South District, respecting a Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 566 Church Street, and recommending that the request for the variance to permit, for third

party advertising purposes, the replacement of a one sided roof sign with a new illuminated double sided roof sign at 566 Church Street be refused.

John Feeley, applicant, appeared before the Toronto South Community Council.

On motion by Councillor Rae, with Councillor McConnell in the Chair, the Toronto South Community Council deferred this matter sine die.

(Letter sent to: Interested Persons; c: Commissioner of Urban Development Services; Director, Community Planning, South District; Gerry Beaudin, Assistant Planner, Downtown Section, Urban Development Services; Jim Laughlin, Director, Inspection and Plan Review, UDS, 16th Floor, East Tower – February 19, 2004)

(Report 2, Clause 84(a))

3.7 Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 7R Hanna Avenue (Trinity-Spadina, Ward 19)

The Toronto South Community Council had before it a report (March 5, 2003) from the Director, Community Planning, South District, respecting a Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 7R Hanna Avenue, and recommending that the request for variances be refused.

On motion by Councillor Pantalone, the Toronto South Community Council recommended that the request for variances from Chapter 297, Signs of the former City of Toronto Municipal Code for 7R Hanna Avenue be refused.

(Report 2, Clause 7)

3.8 Request for Approval of a Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, for a third-party roof sign at 992 St. Clair Avenue West (Davenport, Ward 17)

The Toronto South Community Council had before it a report (January 26, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of a Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, for a third-party roof sign at 992 St. Clair Avenue West, and recommending that the request for a variance be refused to permit a new third-party roof sign.

Sid Catalano, Pattison Outdoor, appeared before the Toronto South Community Council.

On motion by Councillor Palacio, the Toronto South Community Council recommended that the application for variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, for a third party roof sign at 992 St. Clair Avenue West, be approved.

On further motion by Councillor Palacio, the Toronto South Community Council also requested the Ward Councillor to meet with the applicant respecting a contribution towards streetscaping initiatives on St. Clair Avenue West.

(Letter sent to: Councillor Palacio – February 19, 2004)

(Report 2, Clause 8)

3.9 Request for Approval of Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, for replacement and enhancement of existing signage on the west elevation at 699 Yonge Street (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (January 29, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, for replacement and enhancement of existing signage on the west elevation at 699 Yonge Street, and recommending that the request for variances be refused for reasons outlined in the report.

The Toronto South Community Council also had before it a communication (February 11, 2004) from Morris Manning, Barrister and Solicitor, on behalf of the applicant, requesting deferral

On motion by Councillor Rae, with Councillor McConnell in the Chair, the Toronto South Community Council deferred consideration of the report until its meeting to be held on May 4, 2004.

(Letter sent to: Interested Persons; c: Commissioner of Urban Development Services; Director, Community Planning, South District; Gerry Beaudin, Assistant Planner, Downtown Section, Urban Development Services; Jim Laughlin, Director, Inspection and Plan Review, UDS, 16th Floor, East Tower – February 19, 2004)

(Report 2, Clause 84(b))

3.10 127 Douglas Drive - Removal of One Privately Owned Tree (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (December 15, 2003) from the Commissioner of Economic Development, Culture and Tourism, respecting 127 Douglas Drive - Removal of One Privately Owned Tree, and recommending:

- (1) That Toronto South Community Council deny the request for the removal of one privately owned tree at 127 Douglas Drive; or
- (2) That Toronto South Community Council approve the request for the removal of one privately owned tree at 127 Douglas Drive conditional on the applicant agreeing to implement the landscape plan, on file with Urban Forestry Services.

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

- (December 30, 2003) from Mary Balkos;
- (January 5, 2004) from Grant Buchanan;
- (February 13, 2004) from M. Wilson; and
- Petition signed by 10 persons and submitted by Grant Buchanan in support of the proposal.

Grant Buchanan, applicant, appeared before the Toronto South Community Council.

On motion by Councillor Pantalone, the Toronto South Community Council recommended that City Council deny the request for the removal of one privately owned tree at 127 Douglas Drive.

A motion by Councillor Rae, with Councillor McConnell in the Chair, that City Council approve the request for the removal of one privately owned tree at 127 Douglas Drive conditional on the applicant agreeing to implement the landscape plan, on file with Urban Forestry Services, was voted on and lost.

(Report 2, Clause 10)

3.11 WITHDRAWN

825 Dundas Street East - Removal of 45 Privately Owned Trees (Toronto-Danforth, Ward 30)

3.12 Inclusion on the City of Toronto Inventory of Heritage Properties - 70 Roehampton Avenue (North Toronto Collegiate Institute) (St. Paul's, Ward 22)

The Toronto South Community Council had before it a report (January 9, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Inclusion on the City of Toronto Inventory of Heritage Properties - 70 Roehampton Avenue (North Toronto Collegiate Institute), and recommending:

- (1) That City Council include the property at 70 Roehampton (North Toronto Collegiate Institute) on the City of Toronto Inventory of Heritage Properties; and
- (2) That the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto South Community Council also had before it a communication (January 22, 2004) from the City Clerk, Toronto Preservation Board, forwarding the Board's action of January 22, 2004, in recommending the adoption of the report (January 9, 2004) from the Commissioner of Economic Development, Culture and Tourism, subject to an amendment.

The following persons appeared before the Toronto South Community Council:

- Stephen Teeple, Stephen Teeple Architects;
- Ashley Waltman, Principal, North Toronto Collegiate; and
- Shelley Laskin, Executive Member of North Toronto Collegiate.

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

- (1) City Council include the property at 70 Roehampton (North Toronto Collegiate Institute) on the City of Toronto Inventory of Heritage Properties, with special emphasis being given to the preservation of the north, east and south facades of the building; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(Report 2, Clause 12)

3.13 Intention to Designate under Part IV of the *Ontario Heritage Act* and Authority to Enter into a Heritage Easement Agreement - 71 Front Street West (Union Station) (Toronto Centre-Rosedale, Ward 28)

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The Toronto South Community Council had before it a report (January 8, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Intention to Designate under Part IV of the *Ontario Heritage Act* and Authority to Enter into a Heritage Easement Agreement - 71 Front Street West (Union Station), and recommending:

- (1) That City Council state its intention to designate the property at 71 Front Street West (Union Station) under Part IV of the *Ontario Heritage Act*;
- (2) that if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, the solicitor be authorized to introduce Bills in Council designating the property under Part IV of the *Ontario Heritage Act*;
- (3) that if there are objections in accordance with Section 29(7) of the *Ontario Heritage Act*, the Clerk be directed to refer the proposed designation to the Conservation Review Board;
- (4) that authority be granted by City Council for the execution of a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the Union Pearson Group or any other head tenant approved by City Council to lease and operate Union Station on the City's behalf using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services;
- (5) that Union Pearson Group or any other head tenant provide Heritage Preservation Services with two (2) copies of the required photographs for inclusion in the Heritage Easement Agreement; and
- (6) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto South Community Council also had before it a communication (January 22, 2004) from the City Clerk, Toronto Preservation Board, forwarding the Board's action of January 22, 2004, in recommending the adoption of the report (January 8, 2004) from the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor McConnell, the Toronto South Community Council recommended the adoption of the report (January 8, 2004) from the Commissioner of Economic Development, Culture and Tourism.

(Report 2, Clause 13)

3.14 Status Report: Fort York Neighbourhood Public Realm Master Plan and Architectural Design Guidelines (Trinity-Spadina, Wards 19 and 20)

The Toronto South Community Council had before it a status report (January 28, 2004) from the Director, Community Planning, South District, respecting Fort York Neighbourhood Public Realm Master Plan and Architectural Design Guidelines, and recommending that Council receive this report for information.

The Toronto South Community Council also had before it the following:

- supplementary report (February 12, 2004) from the Director, Community Planning, South District, recommending that Council:
 - (1) receive this report for information; and
 - (2) request the Commissioner of Urban Development Services to report directly to Toronto City Council with a final report and a completed Public Realm Master Plan and Architectural Design Guidelines for the Fort York Neighbourhood; and
- Map (February 17, 2004) submitted by Robert Allsopp, Du Toit Allsopp Hillier

The following persons appeared before the Toronto South Community Council:

- Robert Allsopp, Dutoit, Allsopp, Hillier, Landscape Architects; and
- Joe Gill, Chair, Friends of Fort York.

On motion by Councillor Pantalone, the Toronto South Community Council recommended that City Council receive the report (February 12, 2004) from the Director, Community Planning, South District, for information.

On further motion by Councillor Pantalone, the Toronto South Community Council also requested the Commissioner of Urban Development Services to:

- (1) report directly to Council with a final report and a completed Public Realm Master Plan and Architectural Design Guidelines for the Fort York Neighbourhood; and
- (2) report to the Toronto South Community Council in three months on a timetable for infrastructure improvements, including financing and other related issues.

(Letter sent to: Commissioner of Urban Development Services; c: Director, Community Planning, South District; Melanie Melnyk, Planner, West Section – February 19, 2004)

(Report 2, Clause 14)

**3.15 326 King Street West - Toronto International Film Festival Centre and Tower
(Trinity-Spadina, Ward 20)**

The Toronto South Community Council had before it a report (February 2, 2004) from the Director, Community Planning, South District, respecting 326 King Street West - Toronto International Film Festival Centre and Tower, and recommending that this report be received for information.

The following persons appeared before the Toronto South Community Council:

- Steve Diamond, McCarthy Tetrault;
- Shirley Blumberg, KPMB Architects; and
- Piers Handling, Toronto International Film Festival Group.

On motion by Councillor Chow, the Toronto South Community Council:

- (1) directed the City Clerk to give notice of a public meeting pursuant to the *Planning Act*, to be held by the Toronto South Community Council on April 7, 2004, to consider amendments to provisions of the Official Plan and Zoning By-law respecting 326 King Street West;
- (2) requested the Commissioner of Urban Development Services to report at the public meeting on:
 - (a) the form of amending by-laws that, if passed, would permit a building that is 42 storeys high (143.6m and a 13m cap) including 6 storeys of the Toronto International Film Festival Centre and 36 storeys of residential condominiums with an average tower floor plate of 930 sq m as per Drawings A7 and A11, prepared by KPMB Architects and date stamped as received February 11, 2004;
 - (b) appropriate public benefits under Section 37 of the *Planning Act*;
 - (c) a method of prohibiting a below grade parking garage from being operated prior to the completion of the above grade building;
 - (d) a method of ensuring concurrent construction of the residential tower with the 6 storey Toronto International Film Festival; and
 - (e) developing and implementing an appropriate landscape plan, including a tree planting plan that would achieve a typical Toronto streetscape.

(Letter sent to: Interested Persons; c: Commissioner of Urban Development Services; City Clerk, Toronto South Community Council; Director, Community Planning, South District; Helen Coombs, Senior Planner, West Section – February 19, 2004)

(Report 2, Clause 84(c))

3.16 Status Report - 511 Bremner Boulevard, 2 & 20 Housey Street; 20, 22A & 24 Bathurst Street - Ontario Municipal Board Hearing (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a status report (January 28, 2004) from the Director, Community Planning, South District, respecting 511 Bremner Boulevard, 2 & 20 Housey Street; 20, 22A & 24 Bathurst Street - Ontario Municipal Board Hearing.

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

On further motion by Councillor Chow, the Toronto South Community Council also requested the Commissioner of Urban Development Services to report directly to Council on the status of discussions with Wittington Properties Limited and to seek further direction on the City's position at the Ontario Municipal Board Hearing, as necessary.

(Letter sent to: Commissioner of Urban Development Services; c: Director, Community Planning, South District; Melanie Melnyk, Planner, West Section – February 19, 2004)

(Report 2, Clause 16)

3.17 Status Report - Official Plan and Rezoning Application - 764 Yonge Street and 35 Balmuto Street (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a status report (February 3, 2004) from the Director, Community Planning, South District, respecting Official Plan and Rezoning Application - 764 Yonge Street and 35 Balmuto Street.

The Toronto South Community Council also had before it a communication (February 16, 2004) from Harold G. Elston, Elston Watt, Barristers and Solicitors on behalf of Skymark Investments Inc.

Harold G. Elston, Elston Watt, Barristers & Solicitors, on behalf of Skymark Investments Inc. appeared before the Toronto South Community Council.

On motion by Councillor Rae, with Councillor McConnell in the Chair, the Toronto South Community Council submitted this matter to Council without recommendation.

On further motion by Councillor Rae, with Councillor McConnell in the Chair, the Toronto South Community Council also requested the Commissioner of Urban Development Services to report directly to Council on the status of the negotiations with the applicant and report on any outstanding issues in order to obtain instructions for the Ontario Municipal Board hearing.

(Letter sent to: Commissioner of Urban Development Services; c: Director, Community Planning, South District; Carlo Bonanni, Senior Planner, East Section – February 19, 2004)

(Report 2, Clause 17)

3.18 Applications to amend the Official Plan and Zoning By-law of the former City of Toronto - 800 Lansdowne Avenue (Davenport, Ward 18)

The Toronto South Community Council had before it a report (February 3, 2004) from the Director, Community Planning, South District, respecting Applications to amend the Official Plan and Zoning By-law of the former City of Toronto - 800 Lansdowne Avenue, and recommending that this report be received for information.

The Toronto South Community Council also had before it a report (February 11, 2004) from the Director, Community Planning, South District, reporting on a revised proposal for the Phase III lands of the former American-Standard site forming part of 800 Lansdowne Avenue and to seek a Council position for an Ontario Municipal Board Hearing set to continue on April 5, 2004

Andrew Paton, Q.C., solicitor, on behalf of the applicant, appeared before the Toronto South Community Council.

The Toronto South Community Council recommended that:

On motion by Councillor Giambrone:

- (1) the report (February 11, 2004) from the Director, Community Planning, South District be adopted;

On motion by Councillor Pantalone:

- (2) City Council require the owner to provide and maintain an irrigation system, at the applicant's expense, 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 a back flow preventer

to the satisfaction of the Commissioner of Works and Emergency Services, and requirements to maintain in good order and operation; and

- (3) the tree irrigation requirements of the former Toronto East York Community Council be applied to the whole of Toronto South Community Council area.

On motion by Councillor Giambrone, the Toronto South Community Council also requested the Commissioner of Urban Development Services to submit the landscape plan for the development directly to Council.

(Letter sent to: Commissioner of Urban Development Services; c: Director, Community Planning, South District; Corwin Cambray, Planner – February 19, 2004)

(Report 2, Clause 18)

3.19 Request for Directions Report – Official Plan Amendment, Rezoning Amendment and Site Plan Application – 35 Walmer Road (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 30, 2004) from the Director, Community Planning, South District, respecting Request for Directions Report – Official Plan Amendment, Rezoning Amendment and Site Plan Application – 35 Walmer Road.

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

(Report 2, Clause 19)

3.20 Maintenance of a Wooden Fence - Rusholme Park Crescent Flank of 1021 College Street (Davenport, Ward 18)

The Toronto South Community Council had before it a report (January 20, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Maintenance of a Wooden Fence - Rusholme Park Crescent Flank of 1021 College Street, and recommending:

- (1) That City Council approve the ongoing maintenance of a 2.47 m high wooden fence with 1.2 m footings within the public right of way on Rusholme Park Crescent flank of 1021 College Street, subject to the property owners entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:

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- (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Chief Financial Officer & Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer & Treasurer may require;
 - (b) maintain the fence with footings at their own expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
 - (c) remove the fence and footings upon receiving 90 days written notice to do so; and
 - (d) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City; and
- (2) That in the event of sale or transfer of the property abutting the encroachments, Legal Services and/or the Commissioner of Works and Emergency Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Works and Emergency Services.

The Toronto South Community Council also had before it a communication (February 15, 2004) from Stan Wise.

On motion by Councillor Giambrone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 20)

3.21 Request for an Exemption from Chapter 202 of the former City of Toronto's Municipal Code to permit a Natural Garden at 247 Broadway Avenue (St. Paul's, Ward 22)

The Toronto South Community Council had before it a report (February 2, 2004) from the Acting South District Manager, Municipal Licensing and Standards Division, respecting a Request for an Exemption from Chapter 202 of the former City of Toronto's Municipal Code to permit a Natural Garden at 247 Broadway Avenue, and recommending that the exemption request for a natural garden be granted and the Notice of Violation dated June 23, 2003 be cancelled pursuant to Section 202-2D of Chapter 202 of the former City of Toronto's Municipal Code.

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

- (February 12, 2004) from Marc Willoughby; and
- (February 12, 2004) from Marc Willoughby.

On motion by Councillor Walker, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 21)

3.22 Construction of a Building Access Ramp - 71 Oxford Street and on the Augusta Avenue Flank (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 29, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Construction of a Building Access Ramp - 71 Oxford Street and on the Augusta Avenue Flank, and recommending:

- (1) That City Council approve the construction of the building access ramp fronting 71 Oxford Street and on the Augusta Avenue flank, subject to the property owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
 - (a) indemnify the City from and against all actions, suits, claims or demands and from all costs, loss, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Chief Financial Officer & Treasurer and in an amount not less than \$2,000,000.00 or greater amount as the Chief Financial Officer & Treasurer may require;
 - (b) maintain the building access ramp at his own expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
 - (c) remove the building access ramp upon receiving 90 days notice from the City to do so; and

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- (d) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City; and
- (2) in the event of sale or transfer of the property abutting the encroachments, Legal Services and/or the Commissioner of Works and Emergency Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Works and Emergency Services.

Karen Hack, Head to Toe Health Centre, appeared before the Toronto South Community Council.

On motion by Councillor Chow, the Toronto South Community Council recommended the adoption of the report (January 29, 2004) from the Manager, Right of Way Management, Transportation Services, South District.

(Report 2, Clause 22)

3.23 Appeal of Denial of Application for a Boulevard Café – 1381 Danforth Avenue, Gillard Avenue Flankage (Toronto-Danforth, Ward 30)

The Toronto South Community Council had before it a report (August 18, 2003) from the Manager, Municipal Licensing and Standards, respecting Appeal of Denial of Application for a Boulevard Café – 1381 Danforth Avenue, Gillard Avenue Flankage, and recommending that the appeal for the approval of a boulevard café licence on the Gillard Avenue Flankage of 1381 Danforth Avenue – Cozy Corner Bar and Grill be denied.

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

- (September 4, 2003) from Frances Share;
- (December 29, 2003) from Marcia Cohen and Lisa-Catherine Cohen;
- (February 11, 2004) from Dr. James McCrimmon; and
- (February 11, 2004) from Councillor Fletcher.

The following persons appeared before the Toronto South Community Council:

- Paul Woodley, applicant; and
- Lisa-Catherine Cohen.

On motion by Councillor Fletcher, the Toronto South Community Council recommended that the application for a boulevard café at 1381 Danforth Avenue, Gillard Avenue Flankage, be approved for one year, subject to:

- (1) the patio being closed and cleared by 11:00 p.m., Sunday to Thursday, and by midnight, Friday and Saturday; and
- (2) there being no amplified music on the patio.

On further motion by Councillor Fletcher, the Toronto South Community Council also requested that:

- (1) the Commissioner of Urban Development Services report to the Community Council in one year's time on the operation of the patio; and
- (2) any complaints received respecting the operation of the patio be forwarded to the Ward Councillor.

(Letter sent to: Commissioner of Urban Development Services; c: Manager, Municipal Licensing and Standards – February 19, 2004)

(Report 2, Clause 23)

3.24 Application for Outdoor Café – 953 Eglinton Avenue West (St. Paul's, Ward 21)

The Toronto South Community Council had before it a report (August 19, 2003) from the District Manager, Municipal Licensing and Standards, respecting Application for Outdoor Café – 953 Eglinton Avenue West, and recommending that this application to lease 23.7 square metres of the municipal boulevard, located at the front and side of 953 Eglinton Avenue West be approved, subject to the applicant fulfilling the following conditions upon approval:

- (1) enter into an encroachment agreement with the City of Toronto;
- (2) pay the annual fee to the City of Toronto for use of the road allowance in the amount of \$25.00 plus \$5.50 per square metre. All fees are subject to change;
- (3) provide a certificate of insurance evidencing a third party bodily injury and property damaged insurance in the amount of Two Million Dollars (\$2,000,000.00), or such other coverage and greater amount as the City of Toronto may require, naming the City of Toronto as an additional insured party under the policy;
- (4) obtain a construction/streets permit prior to commencement of any construction.

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- (5) audio equipment not be installed and music not played outdoors.
- (6) patio area to be closed between the hours of 11.00 p.m. one day to 7.00 a.m. the next day.

The Toronto South Community Council also had before it a communication (September 4, 2003) from Shayndelynne Zeldin.

Alejandra Hernandez, applicant, appeared before the Toronto South Community Council.

On motion by Councillor Mihevc, the Toronto South Community Council recommended that approval be granted for an outdoor boulevard café at 953 Eglinton Avenue West only for the portion of the municipal boulevard located on the Eglinton Avenue frontage for a total of approximately 6.3 square metres, subject to:

- (1) the applicant entering into an encroachment agreement with the City of Toronto;
- (2) the applicant paying the annual fee to the City of Toronto for use of the road allowance in the amount of \$25.00 plus \$5.50 per square metre, all fees being subject to change;
- (3) the applicant providing a certificate of insurance evidencing a third party bodily injury and property damaged insurance in the amount of Two Million Dollars (\$2,000,000.00), or such other coverage and greater amount as the City of Toronto may require, naming the City of Toronto as an additional insured party under the policy;
- (4) the applicant obtaining a construction/streets permit prior to commencement of any construction;
- (5) audio equipment not being installed and music not being played outdoors; and
- (6) the patio area being closed between the hours of 11.00 p.m. one day to 7.00 a.m. the next day.

(Report 2, Clause 24)

3.25 Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Commercial Boulevard Parking fronting 462 Wellington Street West (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 30, 2004) from the Manager, Right of Way Management, Transportation Services, South District,

respecting a Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Commercial Boulevard Parking fronting 462 Wellington Street West.

Carlo Odorico, applicant, appeared before the Toronto South Community Council.

On motion by Councillor Chow, the Toronto South Community Council recommended that City Council deny the application for three commercial boulevard parking spaces fronting 462 Wellington Street West.

(Report 2, Clause 25)

3.26 Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Additional Commercial Boulevard Parking Spaces on the Euclid Avenue Flank of 540 College Street (Trinity-Spadina, Ward 19)

The Toronto South Community Council had before it a report (January 26, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Additional Commercial Boulevard Parking Spaces on the Euclid Avenue Flank of 540 College Street, and recommending that City Council deny the application for angled commercial boulevard parking on the Euclid Avenue flank of 540 College Street.

On motion by Councillor Pantalone, the Toronto South Community Council recommended that City Council approve the application for eight commercial boulevard parking spaces positioned angled to the travelled roadway, on the Euclid Avenue flank of 540 College Street, as shown on Appendix 'B' of the report (January 26, 2004) from the Manager, Right of Way Management, Transportation Services, South District, notwithstanding the negative poll results, subject to:

- (a) the City sidewalk not being encumbered at any time and the pedestrian traffic on the sidewalk being maintained at all times;
- (b) the applicant installing a planting area and if feasible, planting a tree within the City boulevard;
- (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code; and
- (d) the applicant planting two full shade trees, or if that is not possible, paying for the planting of two full shade trees in the vicinity of the property, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.

(Report 2, Clause 26)

3.27 Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Commercial Boulevard Parking at 296 Palmerston Avenue (Trinity-Spadina, Ward 19)

The Toronto South Community Council had before it a report (January 20, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Commercial Boulevard Parking at 296 Palmerston Avenue.

The Toronto South Community Council also had before it a communication (February 12, 2004) from Kirsten Marshall and Chris Tabbitt.

On motion by Councillor Pantalone, the Toronto South Community Council recommended that City Council deny the application for commercial boulevard parking at 296 Palmerston Avenue.

(Report 2, Clause 27)

3.28 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 203 Duplex Avenue (St. Paul's, Ward 22)

The Toronto South Community Council had before it a report (January 29, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 203 Duplex Avenue, and recommending that City Council deny the application for driveway widening at 203 Duplex Avenue.

John Coles, applicant, appeared before the Toronto South Community Council.

On motion by Councillor Walker, the Toronto South Community Council recommended that City Council approve the application for driveway widening for one angled parking space at 203 Duplex Avenue, as shown on Appendix 'B' of the report (January 29, 2004) from the Manager, Right of Way Management, Transportation Services, South District, notwithstanding that the required 2.0 m setback from rear edge of the City sidewalk is not provided, subject to:

- (a) the parking area not exceeding 2.4 m by 5.5 m in dimension;

- (b) the applicant providing a 1.5 m buffer zone from the rear edge of the City sidewalk;
- (c) the applicant providing the landscape features substantially in accordance with the plan as shown on Appendix 'D' of the report (January 29, 2004) from the Manager, Right of Way Management, Transportation Services, South District, to the satisfaction of the Commissioner of Works and Emergency Services; and
- (d) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

(Report 2, Clause 28)

3.29 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 4 Maple Avenue (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (January 27, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 4 Maple Avenue, and recommending that City Council deny the application for driveway widening for two vehicles at 4 Maple Avenue.

On motion by Councillor Rae, with Councillor McConnell in the Chair, the Toronto South Community Council deferred consideration of the report until its meeting to be held on July 6, 2004.

(Letter sent to: Interested Persons; c: Commissioner of Urban Development Services; Manager, Right of Way Management, Transportation Services, South District; Kyp Perikleous, Supervisor, Right of Way Management – February 19, 2004)

(Report 2, Clause 84(d))

3.30 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for a Second Parking Space at 77 Elmsthorpe Avenue (St. Paul's, Ward 22)

The Toronto South Community Council had before it a report (January 24, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for a Second Parking Space at 77

Elmsthorpe Avenue, and recommending that City Council deny the application to permit driveway widening for a second parking space at 77 Elmsthorpe Avenue.

Stephen L. Bobkin, applicant, appeared before the Toronto South Community Council.

On motion by Councillor Walker, the Toronto South Community Council recommended that City Council approve the application for driveway widening at 77 Elmsthorpe Avenue for two parking spaces, one within the limits of the existing driveway and the second parking space adjacent and parallel to the driveway, as shown on Appendix 'B' of the report (January 24, 2004) from the Manager, Right of Way Management, Transportation Services, South District, subject to:

- (a) the parking areas not exceeding 2.6 by 5.7 m in dimension;
- (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code;
- (c) the parking areas being paved with a semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
- (d) the applicants providing the landscape features substantially in accordance with the plan as shown on Appendix 'D' of the report (January 24, 2004) from the Manager, Right of Way Management, Transportation Services, South District, to the satisfaction of the Commissioner of Works and Emergency Services.

A motion by Councillor Fletcher, that one parking spot be approved, was placed but not voted on.

(Report 2, Clause 30)

3.31 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for a Second Parking Space at 99 Elmsthorpe Avenue (St. Paul's, Ward 22)

The Toronto South Community Council had before it a report (January 21, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for a Second Parking Space at 99 Elmsthorpe Avenue, and recommending that City Council deny the application to permit driveway widening for a second parking space at 99 Elmsthorpe Avenue.

The following persons appeared before the Toronto South Community Council:

- Kathie Tutter-Myers; and
- Martin Myers.

On motion by Councillor Walker, the Toronto South Community Council recommended that City Council approve the application for driveway widening at 99 Elmsthorpe Avenue for two parking spaces, one within the limits of the existing driveway and the second parking space adjacent and parallel to the driveway, as shown on Appendix 'B' of the report (January 21, 2004) from the Manager, Right of Way Management, Transportation Services, South District, subject to:

- (a) the parking areas not exceeding 2.5 by 5.9 m in dimension;
- (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code;
- (c) the parking areas being paved with a semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services;
- (d) the applicant providing the landscape features substantially in accordance with the plan as shown on Appendix 'D' of the report (January 21, 2004) from the Manager, Right of Way Management, Transportation Services, South District, to the satisfaction of the Commissioner of Works and Emergency Services; and
- (e) the applicant paying the cost of planting a full shade canopy tree, and of ensuring its healthy survival, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.

(Report 2, Clause 31)

3.32 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 9 Fulton Avenue (Toronto-Danforth, Ward 29)

The Toronto South Community Council had before it a report (January 23, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 9 Fulton Avenue.

On motion by Councillor Palacio, the Toronto South Community Council recommended that City Council deny the application for driveway widening at 9 Fulton Avenue.

(Report 2, Clause 32)

3.33 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 524 Milverton Boulevard (Beaches-East York, Ward 31)

The Toronto South Community Council had before it a report (January 22, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 524 Milverton Boulevard, and recommending that City Council deny the request to permit driveway widening at 524 Milverton Boulevard.

Councillor Davis declared an interest in this matter, in that she owns property in the area.

Fintan Kilbride, applicant, appeared before the Toronto South Community Council.

On motion by Councillor Bussin, the Toronto South Community Council recommended that City Council approve the application to permit driveway widening at 524 Milverton Boulevard, as shown on Appendix 'A' of the report (January 22, 2004) from the Manager, Right of Way Management, Transportation Services, South District, notwithstanding that the required setback clearances cannot be provided, approval should be subject to:

- (a) the parking area not exceeding 2.6 m by 4.49 m in dimension;
- (b) the vehicle to be parked in the front is not to exceed a maximum length of 4.49 m;
- (c) the City sidewalk not being encumbered at any time and pedestrian traffic on the sidewalk being maintained at all times;
- (d) the parking area being paved with semi-permeable paving materials, such as ecostone pavers, interlocking brick pavers or approved equivalent paving treatment acceptable to the Commissioner of Works and Emergency Services;
- (e) the downspout being disconnected;

On motion by Councillor Pantalone:

- (f) the applicant paying the cost of planting a full shade canopy tree, and of ensuring its healthy survival, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and

On further motion by Councillor Bussin:

- (g) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

On motion by Councillor Fletcher, the Toronto South Community Council also requested the Commissioner of Works and Emergency Services, in any future reports on front yard parking applications, to include comments on the disconnection of downspouts and impacts on sewer and wastewater management.

(Letter sent to: Commissioner of Works and Emergency Services; c: Manager, Right of Way Management, Transportation Services, South District; Kyp Perikleous, Supervisor, Right of Way Management – February 19, 2004)

(Report 2, Clause 33)

3.34 Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Boulevard Parking on the Concord Avenue Flank of 70 Hallam Street (Trinity-Spadina, Ward 19)

The Toronto South Community Council had before it a report (January 22, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Boulevard Parking on the Concord Avenue Flank of 70 Hallam Street, and recommending that City Council deny the application for residential boulevard parking on the Concord Avenue flank of 70 Hallam Avenue.

Joseph Kim, applicant, appeared before the Toronto South Community Council.

On motion by Councillor Pantalone, the Toronto South Community Council recommended that City Council approve the application for residential boulevard parking for one vehicle on the Concord Avenue flank of 70 Hallam Street, as shown on Appendix 'A' of the report (January 22, 2004) from the Manager, Right of Way Management, Transportation Services, South District, notwithstanding that the property is within an area authorized for permit parking and the existing concrete paving does not meet the City's current paving specifications, subject to:

- (a) the parking area not exceeding 2.6 m by 5.5 m in dimension;
- (b) a formal poll being conducted and that such a poll has a favourable result;
- (c) the downspout being disconnected;

- (d) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code.

(Report 2, Clause 34)

3.35 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Vehicle at 101 Silver Birch Avenue (Beaches-East York, Ward 32)]

The Toronto South Community Council had before it a report (January 21, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Vehicle at 101 Silver Birch Avenue, and recommending that City Council deny the request for front yard parking for the second vehicle at 101 Silver Birch Avenue.

The Toronto South Community Council also had before it a petition signed by 39 persons and submitted by Gary LeBlanc in support of the proposal

Mark T. Jones, applicant, appeared before the Toronto South Community Council:

On motion by Councillor Bussin, the Toronto South Community Council recommended that City Council approve the application to permit front yard parking for a second vehicle at 101 Silver Birch Avenue, as shown on Appendix 'B' of the report (January 22, 2004) from the Manager, Right of Way Management, Transportation Services, South District, subject to:

- (a) the area for each parking space not exceeding 2.6 m by 5.4 m in dimension; and
- (b) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code.

On motion by Councillor Pantalone, the Toronto South Community Council also requested the Commissioner of Works and Emergency Services to report to the Community Council, for the Toronto South Community Council area only, on fees for a second parking spot where access to the parking spot through the City's right-of-way is involved.

A motion by Councillor Bussin, that the Commissioner of Works and Emergency Services to report to the Works Committee on a city-wide policy on fees for a second parking spot where access to the parking spot through the City's right-of-way is involved, was voted on and lost.

(Letter sent to: Commissioner of Works and Emergency Services; c: Manager, Right of Way Management, Transportation Services, South District; Kyp Perikleous, Supervisor, Right of Way Management – February 19, 2004)

(Report 2, Clause 35)

3.36 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking at 30 Kippendavie Avenue (Beaches-East York, Ward 32)

The Toronto South Community Council had before it a report (January 20, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking at 30 Kippendavie Avenue.

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

- (December 14, 2003) with 18 signatures in opposition to the application;
- (December 15, 2003) from Frank Robert Sutton and Helen Joanne Sutton;
- (February 11, 2004) from Andrew Patenall; and
- (February 16, 2004) from Margaret and Edward Lyons.

Frank Robert Sutton appeared before the Toronto South Community Council:

On motion by Councillor Bussin, the Toronto South Community Council recommended that City Council deny the application for front yard parking at 30 Kippendavie Avenue.

(Report 2, Clause 36)

3.37 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Parking Space at 43 Elgin Avenue (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 14, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting a Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Parking Space at 43 Elgin

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Avenue, and recommending that City Council deny the request to permit front yard parking for a second parking space at 43 Elgin Avenue.

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

- (February 16, 2004) from Mr. and Mrs. Roger Jackson;
- (February 16, 2004) from C. J. Baines;
- (undated) from Murray Axmith; and
- (February 12, 2004) from John B. Lawson.

The following persons appeared before the Toronto South Community Council:

- Elizabeth Whelan, Annex Residents' Association;
- Cornelia Baines;
- Harold G. Elston, Elston Watt, Barristers & Solicitors, on behalf of the applicant;
- Melinda Rogers; and
- Eric Jackson.

On motion by Councillor Chow, the Toronto South Community Council recommended that City Council deny the request to permit front yard parking for a second parking space at 43 Elgin Avenue.

On further motion by Councillor Chow, the Toronto South Community Council also clarified that the policy for Wards 20, 27, 28 and 30 within the Toronto South Community Council area respecting the refusal to accept applications for front yard parking includes applications for one, two or three vehicles and applications for an additional space or spaces where a space already exists on site.

(Letter sent to: Commissioner of Works and Emergency Services; c: Manager, Right of Way Management, Transportation Services, South District; Kyp Perikleous, Supervisor, Right of Way Management – February 19, 2004)

(Report 2, Clause 37)

3.38 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Vehicle at 75 Lee Avenue (Beaches-East York, Ward 32)

The Toronto South Community Council had before it a report (February 4, 2004) from the Manager, Right of Way Management, Transportation Services, South District,

respecting a Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Vehicle at 75 Lee Avenue, and recommending that City Council deny the request for front yard parking for a second vehicle at 75 Lee Avenue.

Ken Ferguson appeared before the Toronto South Community Council:

On motion by Councillor Bussin, the Toronto South Community Council recommended that City Council approve the application for front yard parking for a second parking space at 75 Lee Avenue, as shown on Appendix 'B' of the report (February 4, 2004) from the Manager, Right of Way Management, Transportation Services, South District, subject to:

- (a) the parking area not exceeding 2.6 m by 5.9 m in dimension;

On motion by Councillor Pantalone:

- (b) the applicant paying the cost of planting a full shade canopy tree, and of ensuring its healthy survival, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and

On further motion by Councillor Bussin:

- (c) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code.

(Report 2, Clause 38)

3.39 Budgetary and Staffing Implications of City Council's Amendments to the Revised Organization Structure for the Committee of Adjustment, August 14, 2003 (All Wards)

The Toronto South Community Council had before it a communication (January 12, 2004) from the City Clerk, Planning and Transportation Committee, respecting Budgetary and Staffing Implications of City Council's Amendments to the Revised Organization Structure for the Committee of Adjustment, and referring the issue of the starting times of the Committees of Adjustment meetings to the Community Councils for consideration and report back, as soon as possible, to the Planning and Transportation Committee.

Mitchell E. Kosny, Chair, Toronto East York Panel, City of Toronto Committee of Adjustment, appeared before the Toronto South Community Council:

On motion by Councillor McConnell, the Toronto South Community Council recommended to the Planning and Transportation Committee that Committee of Adjustment meetings begin at 4:00 p.m.

A motion by Councillor Pantalone, that Committee of Adjustment meetings continue to begin at 2:00 p.m., was voted on and lost.

(Letter sent to: Planning and Transportation Committee ; c: Commissioner of Urban Development Services; Gary Wright, Director, Community Planning, West District; Chief Planner and Executive Director; Interested Persons – February 19, 2004)

(Report 2, Clause 84(e))

3.40 Preliminary Report – Application to amend the Official Plan and Zoning By-law – 43 Hanna Avenue (Trinity-Spadina, Ward 19)

The Toronto South Community Council had before it a preliminary report (January 26, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Zoning By-law – 43 Hanna Avenue, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) That notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

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

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Gerry Rogalski, Senior Planner – February 19, 2004)

(Report 2, Clause 84(f))

3.41 Preliminary Report – Application to amend the Official Plan and Zoning By-law – 450, 470 and 500 Lake Shore Boulevard West (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a preliminary report (January 26, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Zoning By-law – 450, 470 and 500 Lake Shore Boulevard West, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) That notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

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

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Melanie Melnyk, Planner – February 19, 2004)

(Report 2, Clause 84(g))

3.42 Preliminary Report – Application to amend the Official Plan and Zoning By-law – 58-60 Tecumseth Street (Trinity-Spadina, Ward 19)

The Toronto South Community Council had before it a preliminary report (January 29, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Zoning By-law – 58-60 Tecumseth Street, and recommending:

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- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) That notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

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

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Elise Hug, Planner, West Section – February 19, 2004)

(Report 2, Clause 84(h))

3.43 Preliminary Report – Application to amend the Official Plan and Zoning By-law – 40-42 Westmoreland Avenue (Davenport, Ward 18)

The Toronto South Community Council had before it a preliminary report (January 29, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Zoning By-law – 40-42 Westmoreland Avenue, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) That notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

On motion by Councillor Giambrone, the Toronto South Community Council adopted the preliminary report.

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Elise Hug, Planner, West Section – February 19, 2004)

(Report 2, Clause 84(i))

3.44 Preliminary Report – Application to amend the Official Plan and Zoning By-law – 164 Avenue Road (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a preliminary report (January 26, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Zoning By-law – 164 Avenue Road, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) That notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

The following persons appeared before the Toronto South Community Council:

- Robert G. Brown, Annex Residents' Association;
- Robin Clarke; and
- Ian Carmichael.

On motion by Councillor Chow, the Toronto South Community Council:

- (1) adopted the preliminary report;

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- (2) requested the Commissioner of Urban Development Services to establish a working committee that would include members of the immediate community to work with City staff and the applicant to establish design guidelines for the project; and
- (3) directed the working committee to explore modifications to the applicant's current building design and one alternative design in accordance with the guidelines established.

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Steve Daniels, Planner – February 19, 2004)

(Report 2, Clause 84(j))

3.45 Preliminary Report – Application to amend the Official Plan and Draft Plan of Condominium – 1 Benvenuto Place (St. Paul's, Ward 22)

The Toronto South Community Council had before it a preliminary report (January 29, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Draft Plan of Condominium – 1 Benvenuto Place, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to tenants of the building, landowners and residents within 120 metres of the site, and the general public by way of a newspaper advertisement; and
- (3) That notice of the Public Meeting under the *Planning Act* serve as notice of the public meeting required by Council for condominium conversion and demolition permits.

On motion by Councillor Walker, the Toronto South Community Council adopted the preliminary report.

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Steve Daniels, Planner, North Section – February 19, 2004)

(Report 2, Clause 84(k))

3.46 Preliminary Report – Application to amend the Official Plan and Zoning By-law – 50 and 56 Gerrard Street East and 380 Church Street (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a preliminary report (February 2, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Zoning By-law – 50 and 56 Gerrard Street East and 380 Church Street, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) That notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

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

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police,

Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Corwin Cambray, Planner – February 19, 2004)

(Report 2, Clause 84(l))

3.47 Preliminary Report – Applications to amend the Official Plan for the former Borough of East York and Zoning By-law 6752 – 1073 Broadview Avenue (Toronto-Danforth, Ward 29)

The Toronto South Community Council had before it a preliminary report (January 29, 2004) from the Director, Community Planning, South District, respecting Applications to amend the Official Plan for the former Borough of East York and Zoning By-law 6752 – 1073 Broadview Avenue, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) That notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

On motion by Councillor Palacio, the Toronto South Community Council adopted the preliminary report.

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Dan Tovey, Assistant Planner, East Section – February 19, 2004)

(Report 2, Clause 84(m))

3.48 Preliminary Report – Application to amend the Zoning By-law and Site Plan – 345 Carlaw Avenue (Toronto-Danforth, Ward 30)

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The Toronto South Community Council had before it a preliminary report (January 28, 2004) from the Director, Community Planning, South District, respecting Application to amend the Zoning By-law and Site Plan – 345 Carlaw Avenue, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) That notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

On motion by Councillor Fletcher, the Toronto South Community Council adopted the preliminary report.

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Denise Graham, Senior Planner, East Section – February 19, 2004)

(Report 2, Clause 84(n))

3.49 Preliminary Report – Application to amend the Zoning By-law and Site Plan – 349 Carlaw Avenue (Toronto-Danforth, Ward 30)

The Toronto South Community Council had before it a preliminary report (January 29, 2004) from the Director, Community Planning, South District, respecting Application to amend the Zoning By-law and Site Plan – 349 Carlaw Avenue, and recommending:

- (1) That staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) That notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and

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

On motion by Councillor Fletcher, the Toronto South Community Council adopted the preliminary report.

(Letter sent to: Commissioner of Urban Development Services (no encl.); Executive Director and Chief Planner (no encl.); Commissioner of Works and Emergency Services; Toronto South Community Council Solicitor, Attn: John Paton; Director, City Planning; Chief Building Official; Director of Development Engineering Services, Works and Emergency Services; Director of Policy and Development, Policy and Development Division, Economic Development, Culture & Tourism Department; Director of Real Estate Services; City Surveyor; Fire Chief; Parking Authority of Toronto; Toronto Catholic School Board; Toronto District School Board; Metropolitan Toronto Police, Attn: Sergeant Paul Cocksedge; All Interested Persons (no encl.); c: Director, Community Planning, South District; Denise Graham, Senior Planner, East Section – February 19, 2004)

(Report 2, Clause 84(o))

3.50 Amendment to By-law 991-2003 - Removal of the Holding Symbol from a portion of the City Block bounded by Trinity Street, Eastern Avenue, Front Street East and Cherry Street (Toronto Centre-Rosedale, Ward 28)

The Toronto South Community Council had before it a report (January 30, 2004) from the Director, Community Planning, South District, respecting Amendment to By-law 991-2003 - Removal of the Holding Symbol from a portion of the City Block bounded by Trinity Street, Eastern Avenue, Front Street East and Cherry Street, and recommending:

- (1) That the Holding Symbol (“h”) be removed from a 10 metre wide strip of land adjacent to the easterly boundary of the RA lands redesignated by By-law 991-2003 as generally shown on the Context Plan; and
- (2) That the City Solicitor be directed to introduce the necessary Bill in Council for the March 2 – 4, 2004 meeting of City Council.

On motion by Councillor McConnell, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 50)

3.51 Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 36 Blue Jays Way (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 29, 2004) from the Director, Community Planning, South District, respecting a Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 36 Blue Jays Way, and recommending:

- (1) That the request for variances to permit, for identification purposes, an illuminated fascia sign on the north elevation at the sixth-storey level and two illuminated projecting signs on the south elevation at the first floor level of the building to indicate underground parking at 36 Blue Jays Way be approved; and
- (2) That the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit from the Commissioner of Urban Development Services.

On motion by Councillor Chow, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 51)

3.52 Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 600 University Avenue (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 29, 2004) from the Director, Community Planning, South District, respecting a Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 600 University Avenue, and recommending:

- (1) That the request for variances be approved to permit, for identification purposes, two illuminated fascia signs in the form of a corporate name and a logo at the top floor level on the north and south elevations of the building at 600 University Avenue; and
- (2) That the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

On motion by Councillor Chow, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 52)

3.53 Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code – 866 Avenue Road (St. Paul’s, Ward 22)

The Toronto South Community Council had before it a report (January 26, 2004) from the Director, Community Planning, South District, respecting a Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code – 866 Avenue Road, and recommending:

- (1) That City Council approve Application No. 03-179034 for minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit one replacement fascia sign on the north elevation of the building; and
- (2) That the applicant be advised, upon approval of Application No. 03-179034, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services.

On motion by Councillor Walker, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 53)

3.54 Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 100 King Street West (Toronto Centre-Rosedale, Ward 28)

The Toronto South Community Council had before it a report (January 21, 2004) from the Director, Community Planning, South District, respecting a Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 100 King Street West, and recommending:

- (1) That the request for variances be approved to permit replacement of four existing illuminated fascia signs in the form of a corporate logo, for identification purposes, at the top floor level, on the north, south, east and west elevations of the building at 100 King Street West; and
- (2) That the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

On motion by Councillor McConnell, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 54)

3.55 Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 77 Bloor Street West (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (January 26, 2004) from the Director, Community Planning, South District, respecting a Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 77 Bloor Street West, and recommending:

- (1) That the requested variance to replace two existing illuminated fascia signs in the form of a corporate logo on the top of the north and west elevations of the building at 77 Bloor Street West be approved; and
- (2) That the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

On motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 55)

3.56 Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 20 King Street West (Toronto Centre-Rosedale, Ward 28)

The Toronto South Community Council had before it a report (January 21, 2004) from the Director, Community Planning, South District, respecting a Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 20 King Street West, and recommending:

- (1) That the request for a variance be approved to permit replacement of an illuminated fascia sign with a newly designed fascia sign in the form of a corporate logo, for identification purposes, at the top floor level, on the west elevation of the building at 20 King Street West; and
- (2) That the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

On motion by Councillor McConnell, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 56)

3.57 Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code – 65 Navy Wharf Court (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (February 3, 2004) from the Director, Community Planning, South District, respecting a Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code – 65 Navy Wharf Court, and recommending:

- (1) the request for a variance be approved to permit an illuminated ground sign at 65 Navy Wharf Court; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permit from the Commissioner of Urban Development Services.

On motion by Councillor Chow, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 57)

3.58 Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code – 255 Front Street West (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 27, 2004) from the Director, Community Planning, South District, respecting a Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code – 255 Front Street West, and recommending that:

- (1) the request for variances be approved to permit the installation of two, first party advertising, fascia signs at 255 Front Street West; and
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

On motion by Councillor Chow, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 58)

3.59 Status Report: 93 Grenville Street, Application No. 703006 (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a status report (January 28, 2004) from the Director, Community Planning, South District, respecting 93 Grenville Street, Application No. 703006.

On motion by Councillor McConnell, the Toronto South Community Council received the report.

(Letter sent to: Interested Persons; c: Director, Community Planning, South District; Helen Coombs, Senior Planner, West Section – February 19, 2004)

(Report 2, Clause 84(p))

3.60 Application to Amend the Official Plan and for Draft Plan of Condominium – 30 Gloucester Street (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (January 22, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and for Draft Plan of Condominium – 30 Gloucester Street, and recommending that City Council authorize the Chief Planner to amend the draft approval of the Plan of Condominium for 30 Gloucester Street to extend the time limit for registration of the condominium to March 1, 2005, otherwise the approval shall lapse and be of no further force and effect.

On motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 60)

3.61 Request to Amend Section 37 Agreement - 101 College Street (MaRS) (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (January 21, 2004) from the Director, Community Planning, South District, respecting a Request to Amend Section 37 Agreement - 101 College Street (MaRS), and recommending:

- (1) That Council authorize the City Solicitor to prepare an amending Section 37 agreement to delete the application of the public art provision for Phase 1 of the lands acquired by MaRS;

- (2) That Council authorize the appropriate City Officials to execute such amending agreement; and
- (3) That Council authorize the City Treasurer to remit the applicant's contribution upon the registration on title of the amending agreement.

On motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 61)

3.62 Request to Allow Parking - Markham Street, west side, between Dundas Street West and Andrews Avenue (Trinity-Spadina, Ward 19)

The Toronto South Community Council had before it a report (January 28, 2004) from the Director, Community Planning, South District, respecting a Request to Allow Parking - Markham Street, west side, between Dundas Street West and Andrews Avenue, and recommending:

- (1) That the no parking anytime prohibition on the west side of Markham Street, from Dundas Street West to a point 49.0 metres south thereof, be rescinded;
- (2) That the no parking anytime prohibition on the west side of Markham Street, from December 1 of one year to March 31 of the next following year, inclusive, between a point 50 metres north of Robinson Street and Dundas Street, be rescinded;
- (3) That the time limit parking regulation on the west side of Markham Street, from Robinson Street to a point 49.0 metres south of Dundas Street West, between 8:00 a.m. and 6:00 p.m., from December 1 of one year to March 31 of the next following year, inclusive, for a maximum period of 60 minutes, be adjusted to be in effect from a point 50 metres north of Robinson Street to Dundas Street West;
- (4) That the alternate side parking regulation on the west side of Markham Street, from a point 50 metres north of Robinson Street to a point 49.0 metres south of Dundas Street West, between 8:00 a.m. and 6:00 p.m., on the 16th day to the last day of each month, inclusive, from April 1 to November 30, for a maximum period of 60 minutes, be adjusted to be in effect from a point 50 metres north of Robinson Street to Dundas Street West;
- (5) That the alternate side parking prohibition on the west side of Markham Street, from a point 50 metres north of Robinson Street to a point 49.0 metres south of Dundas Street West, on the first day to the 15th day of each month, inclusive,

from April 1 to December 1, be adjusted to be in effect from a point 50 metres north of Robinson Street to Dundas Street West; and

- (6) 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 might be required.

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

- (1) the report (January 28, 2004) from the Director, Community Planning, South District be adopted; and
- (2) the Commissioner of Works and Emergency Services maximize the use of existing poles in the installation of the additional signage.

(Report 2, Clause 62)

3.63 Request to Introduce Parking Regulation - Alessia Circle (Davenport, Ward 17)

The Toronto South Community Council had before it a report (January 29, 2004) from the Director, Transportation Services, South District, respecting a Request to Introduce Parking Regulation - Alessia Circle, and recommending:

- (1) That the Uniform Traffic By-law Nos. 196-84 and 2958-94 of the former City of York be amended to prohibit parking at all times on the north, east, and south sides of Alessia Circle from the south junction of Bronoco Avenue to the north junction of Bronoco Avenue; and
- (2) That the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that are required.

On motion by Councillor Palacio, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 63)

3.64 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Davenport, Ward 17; Davenport, Ward 18)

The Toronto South Community Council had before it a report (February 3, 2004) from the Director, Transportation Services, South District, respecting Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Davenport, Ward 17; Davenport, Ward 18), and recommending:

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

On motion by Councillor Palacio, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 64)

3.65 Provision of Designated On-Street Disabled Loading Zone - Brunswick Avenue, west side, between Ulster Street and College Street, fronting No. 80 (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 28, 2004) from the Director, Transportation Services, South District, respecting Provision of Designated On-Street Disabled Loading Zone - Brunswick Avenue, west side, between Ulster Street and College Street, fronting No. 80, and recommending:

- (1) That parking regulations be amended so that a designated on-street disabled loading zone be established on the west side of Brunswick Avenue, from a point 61.7 metres south of Ulster Street to a point 7.0 metres further south thereof; and
- (2) That the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Chow, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 65)

3.66 Adjustment to Regulations Governing the Existing "Student Pick-up/Drop-off Area" – Earl Haig Avenue at Earl Haig Public School (Beaches-East York, Ward 32)

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The Toronto South Community Council had before it a report (January 29, 2004) from the Director, Transportation Services, South District, respecting Adjustment to Regulations Governing the Existing “Student Pick-up/Drop-off Area” – Earl Haig Avenue at Earl Haig Public School, and recommending:

- (1) That the “No Parking, 8:30 a.m. to 6:00 p.m.” regulation on the south side of Earl Haig Avenue, from Coxwell Avenue to a point 58 metres east thereof, be rescinded;
- (2) That the “No Parking, 8:30 a.m. to 6:00 p.m.” regulation on the south side of Earl Haig Avenue, from a point 135 metres east of Coxwell Avenue to Hillingdon Avenue, be rescinded;
- (3) That the “Ten minute parking, 7:30 a.m. to 9:30 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday” regulation on the south side of Earl Haig Avenue, from a point 58 metres east of Coxwell Avenue to a point 17 metres further east thereof”, be rescinded;
- (4) That parking be prohibited on the south side of Earl Haig Avenue from 8:30 a.m. to 6:00 p.m., daily, from Coxwell Avenue to a point 21 metres east thereof;
- (5) That parking be allowed on the south side of Earl Haig Avenue for a maximum period of fifteen minutes from 7:30 a.m. to 9:30 a.m. and from 3:00 p.m. to 6:00 p.m., Monday to Friday, from a point 21 metres east of Coxwell Avenue to a point 54 metres further east;
- (6) That parking be allowed on the south side of Earl Haig Avenue for a maximum period of fifteen minutes from 7:30 a.m. to 9:30 a.m. and from 3:00 p.m. to 6:00 p.m., Monday to Friday, from a point 95 metres east of Coxwell Avenue to a point 55 metres further east;
- (7) That parking be prohibited on the south side of Earl Haig Avenue from 8:30 a.m. to 6:00 p.m., from a point 75 metres east of Coxwell Avenue to a point 20 metres further east;
- (8) That parking be prohibited on the south side of Earl Haig Avenue from 8:30 a.m. to 6:00 p.m., from a point 150 metres east of Coxwell Avenue to Hillingdon Avenue;
- (9) That parking be prohibited on the south side of Earl Haig Avenue from 9:30 a.m. to 3:00 p.m., Monday to Friday and from 8:30 a.m. to 6:00 p.m. Saturday and Sunday, from a point 21 metres east of Coxwell Avenue to a point 54 metres further east thereof;

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- (10) That parking be prohibited on the south side of Earl Haig Avenue from 9:30 a.m. to 3:00 p.m., Monday to Friday and from 8:30 a.m. to 6:00 p.m. Saturday and Sunday, from a point 95 metres east of Coxwell Avenue to a point 55 metres further east thereof;
- (11) That a "School Bus Loading Zone" be delineated on the south side of Earl Haig Avenue from a point 75 metres east of Coxwell Avenue to a point 20 metres further east; and
- (12) That the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any Bills that may be required.

On motion by Councillor Bussin, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 66)

3.67 Request for Implementation of Various Parking Regulation Changes in the Vicinity of the Greenwood School – Mount Pleasant Road (East Branch), between Balliol Street and Davisville Avenue (St. Paul's, Ward 22)

The Toronto South Community Council had before it a report (February 2, 2004) from the Director, Transportation Services, South District, respecting a Request for Implementation of Various Parking Regulation Changes in the Vicinity of the Greenwood School – Mount Pleasant Road, and recommending:

- (1) That the existing "No Parking Anytime" regulation in effect on the east side of the east branch of Mount Pleasant Road, from a point 11 metres south of Davisville Avenue to a point 12.8 metres further south, be adjusted to operate from Davisville Avenue, to a point 48 metres further south;
- (2) That the existing "10:00 a.m. to 6:00 p.m., Monday to Friday, one-hour maximum" parking regulation in operation on the east side of the east branch of Mount Pleasant Road, between Balliol Street and Davisville Avenue, be adjusted to operate from a point 53 metres south of Davisville Avenue to Balliol Street;
- (3) That the existing "No Parking Anytime" regulation in effect on the west side of the east branch of Mount Pleasant Road, from Balliol Street to Davisville Avenue, be rescinded;
- (4) That stopping be prohibited at anytime on the west side of the east branch of Mount Pleasant Road, from Balliol Street to Davisville Avenue;

- (5) That standing be prohibited at anytime on both sides of the first laneway north of Balliol Street, from the east branch of Mount Pleasant Road, to a point 39 metres further east; and
- (6) That the appropriate City officials be authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that are required.

On motion by Councillor Walker, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 67)

3.68 Request to Prohibit Parking at Anytime – Premises No. 61 Lambertlodge Avenue (St. Paul’s, Ward 21)

The Toronto South Community Council had before it a report (January 27, 2004) from the Director, Transportation Services, South District, respecting a Request to Prohibit Parking at Anytime – Premises No. 61 Lambertlodge Avenue, and recommending:

- (1) That the existing “No parking 1st day to 15th day of each month, from April 1 to November 30, inclusive” on the south side of Lambertlodge Avenue, between Christie Street and the west branch of Melita Crescent be amended so as to be in effect as follows:
 - (i) on the south side of Lambertlodge Avenue, from Christie Street to a point 54.3 metres west of the east branch of Melita Crescent; and
 - (ii) on the south side of Lambertlodge Avenue, from a point 67.4 metres west of the east branch of Melita Crescent to the west branch of Melita Crescent;
- (2) That parking be prohibited at anytime on the south side of Lambertlodge Avenue, from a point 54.3 metres west of the east branch of Melita Crescent to a point 13.1 metres further west; 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 are required.

On motion by Councillor Mihevc, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 68)

3.69 Request to Prohibit Parking from 2:00 a.m. to 6:00 a.m., daily – Shallmar Boulevard, north side, from a point 116 metres west of Bathurst Street to a point 102.4 metres further west (the west limit of No. 46 Shallmar Boulevard) (St. Paul’s, Ward 22)

The Toronto South Community Council had before it a report (January 27, 2004) from the Director, Transportation Services, South District, respecting a Request to Prohibit Parking from 2:00 a.m. to 6:00 a.m., daily – Shallmar Boulevard, north side, from a point 116 metres west of Bathurst Street to a point 102.4 metres further west (the west limit of No. 46 Shallmar Boulevard), and recommending:

- (1) That parking be prohibited from 2:00 a.m. to 6:00 a.m., daily, on the north side of Shallmar Boulevard from a point 116 metres west of Bathurst Street to a point 102.4 metres further west (the west limit of No. 46 Shallmar Boulevard); and
- (2) That the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Walker, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 69)

3.70 Request to Prohibit Parking at Anytime – Lonsdale Road, north side, west of No. 628 (St. Paul’s, Ward 21)

The Toronto South Community Council had before it a report (January 28, 2004) from the Director, Transportation Services, South District, respecting a Request to Prohibit Parking at Anytime – Lonsdale Road, north side, west of No. 628, and recommending:

- (1) That parking be prohibited at anytime on the north side of Lonsdale Road, from Bathurst Street to a point 41.5 metres east of Bathurst Street;
- (2) That the existing “No parking 2:00 a.m. to 10:00 a.m., daily” regulation on the north side of Lonsdale Road, between Bathurst Street and Lonsmount Drive, be adjusted so as to be in effect on the north side of Lonsdale Road from a point 41.5 metres east of Bathurst Street to Lonsmount Drive; 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 are required.

The Toronto South Community Council also had before it a communication (January 20, 2004) from Councillor Mihevc.

On motion by Councillor Mihevc, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 70)

3.71 Provision of a “No Parking Anytime regulation – Church Street, east side, between Carlton Street and Granby Street (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (January 28, 2004) from the Director, Transportation Services, South District, respecting Provision of a “No Parking Anytime regulation – Church Street, east side, between Carlton Street and Granby Street, and recommending:

- (1) That parking be prohibited at anytime on the east side of Church Street, between Carlton Street and Granby Street;
- (2) That the existing parking meter regulations on the east side of Church Street, between Carlton Street and Granby Street, be rescinded; 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 are required.

On motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 71)

3.72 Implementation of a “No Stopping Anytime” prohibition – Farnham Avenue, north side, from Yonge Street to a point 20 metres further west (St. Paul’s, Ward 22)

The Toronto South Community Council had before it a report (February 2, 2004) from the Director, Transportation Services, South District, respecting Implementation of a “No Stopping Anytime” prohibition – Farnham Avenue, north side, from Yonge Street to a point 20 metres further west, and recommending:

- (1) That stopping be prohibited at anytime, on the north side of Farnham Avenue, from Yonge Street to a point 20 metres further west thereof; and
- (2) That the appropriate City officials be authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that are required.

On motion by Councillor Walker, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 72)

3.73 Proposed Installation of Lay-Bys – Elm Avenue, north side, between Mt. Pleasant Road and Sherbourne Street North (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (February 3, 2004) from the Director, Transportation Services, South District, respecting Proposed Installation of Lay-Bys – Elm Avenue, north side, between Mt. Pleasant Road and Sherbourne Street North, and recommending:

- (1) That approval be given to alter the affected roadway, as follows:
 - (a) “The adjustment of the pavement on the north side of Elm Avenue, from a point 38.8 metres east of Mt. Pleasant Road and a point 21.6 metres further east thereof, generally as shown on attached print of Drawing No. 421F-7242 (dated February 2004)”;
 - (b) “The adjustment of the pavement on the north side of Elm Avenue, from a point 82.7 metres east of Mt. Pleasant Road and a point 20.7 metres further east thereof, generally as shown on attached print of Drawing No. 421F-7242 (dated February 2004)”;
- (2) That the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 73)

3.74 Establishment of Pedestrian Crossover – Pre mises No. 100 McCaul Street (Ontario College of Art and Design) (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 29, 2004) from the Director, Transportation Services, South District, respecting Establishment of Pedestrian Crossover – Premises No. 100 McCaul Street (Ontario College of Art and Design), and recommending:

- (1) That the temporary pedestrian crossover installed on McCaul Street at a point approximately 112.0 metres north of Grange Road (at Premises No. 100 McCaul Street) be converted to a permanent pedestrian crossover; and
- (2) That the appropriate City officials be authorized and directed to take the necessary action to implement the foregoing, including the introduction in Council of any Bills that may be required.

On motion by Councillor Chow, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 74)

3.75 Reduction of Speed Limit to 40 kilometres per hour – Gamble Avenue, from Pape Avenue to its westerly limit (Toronto-Danforth, Ward 29)

The Toronto South Community Council had before it a report (January 30, 2004) from the Director, Transportation Services, South District, respecting Reduction of Speed Limit to 40 kilometres per hour – Gamble Avenue, from Pape Avenue to its westerly limit, and recommending:

- (1) That the maximum speed limit on Gamble Avenue, from Pape Avenue to its westerly limit, be reduced from a maximum of 50 kilometres per hour to 40 kilometres per hour; and
- (2) That the appropriate City officials be authorized and directed to take necessary action to give effect thereto including the introduction in Council of any Bills that may be required.

On motion by Councillor Palacio, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 75)

3.76 Installation of Speed Humps – Withrow Avenue, between Logan Avenue and Broadview Avenue (Toronto-Danforth, Ward 30)

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The Toronto South Community Council had before it a report (January 30, 2004) from the Director, Transportation Services, South District, respecting Installation of Speed Humps – Withrow Avenue, between Logan Avenue and Broadview Avenue, and recommending that this report be received for information.

The Toronto South Community Council also had before it a communication (February 11, 2004) from Councillor Fletcher.

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

- (1) appropriate staff be authorized to develop a speed hump plan when feasible in the spring of 2004 in consultation with the Ward Councillor and conduct a poll of eligible householders on Withrow Avenue, between Logan Avenue and Broadview Avenue, to determine resident support, in accordance with the City of Toronto Traffic Calming Policy; and public notice be given pursuant to the Municipal Class Environmental Assessment Act, including Notice of Study Commencement to the Ministry of Environment, Fire Service, Emergency Medical Service and Toronto Police Service;
- (2) subject to favourable results of the poll:
 - (i) a by-law be prepared for the alteration of sections of the roadway on Withrow Avenue, between Logan Avenue and Broadview Avenue, for traffic calming purposes generally as shown on the speed hump plan circulated to residents through the polling process;
 - (ii) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued;
 - (iii) the speed limit be reduced from 40 to 50 km/h on Withrow Avenue, between Logan Avenue and Broadview Avenue, coincident with the implementation of speed humps; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

(Report 2, Clause 76)

3.77 Request to Assess Amendment to the Times of the Eastbound Left-Turn Prohibition – Dundas Street East and Maughan Crescent (East Branch) (Beaches-East York, Ward 32)

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The Toronto South Community Council had before it a report (February 3, 2004) from the Director, Transportation Services, South District, respecting a Request to Assess Amendment to the Times of the Eastbound Left-Turn Prohibition – Dundas Street East and Maughan Crescent (East Branch), and recommending that, in the event Council wishes to implement turn prohibitions as requested by area residents, in considering the conclusions of the technical analysis outlined in this report:

- (1) the existing “No Left-turn, 4:00 p.m. to 6:00 p.m., Monday to Friday” regulation for eastbound motorists at the intersection of Dundas Street East and Maughan Crescent (East Leg), be rescinded;
- (2) eastbound left-turns be prohibited at anytime at the intersection of Dundas Street East and Maughan Crescent (East Branch); and
- (3) 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 Bussin, the Toronto South Community Council deferred consideration of the report pending community consultation.

(Letter sent to: Commissioner of Works and Emergency Services; c: Director, Transportation Services, South District; Peter Ip, Transportation Technologist; Councillor Bussin – February 19, 2004)

(Report 2, Clause 84(q))

3.78 Establishment of Construction Staging Area – Dalhousie Street at the rear of Premises No. 157-167 Church Street (Toronto Centre-Rosedale, Ward 27)

The Toronto South Community Council had before it a report (January 29, 2004) from the Director, Transportation Services, South District, respecting Establishment of Construction Staging Area – Dalhousie Street at the rear of Premises No. 157-167 Church Street, and recommending:

- (1) That in order to facilitate the construction of the new 28-storey commercial/residential tower at Premises No.157-167 Church Street, Dalhousie Street be closed from Shuter Street to a point approximately 78.0 metres south thereof;
- (2) That stopping be prohibited on the east side of Dalhousie Street, from a point 78.0 metres south of Shuter Street to a point 15.0 metres further south thereof;

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- (3) That the section of Dalhousie Street noted in Recommendation Nos. 1 and 2 revert to its pre-construction traffic and parking operation upon completion of this project; and
- (4) That the appropriate City officials be authorized and directed to take the necessary action to implement the foregoing, including the introduction in Council of any Bills that may be required.

On motion by Councillor Rae, with Councillor McConnell in the Chair, the Toronto South Community Council recommended that:

- (1) the report (January 29, 2004) from the Director, Transportation Services, South District be adopted; and
- (2) the applicant pay \$4,750.00 per month to the Toronto Parking Authority for lost parking meter revenue.

(Report 2, Clause 78)

3.79 Temporary Road Occupation to Accommodate Construction Staging Area – Premises No. 270 Gerrard Street East (Toronto Centre-Rosedale, Ward 28)

The Toronto South Community Council had before it a report (January 23, 2004) from the Director, Transportation Services, South District, respecting Temporary Road Occupation to Accommodate Construction Staging Area – Premises No. 270 Gerrard Street East, and recommending:

- (1) That in order to facilitate construction of a two-storey addition to the building at a site on the north-east corner of Gerrard Street East and Berkeley Street, the sidewalk on the north side of Gerrard Street East, between a point 9.0 metres east of Berkeley Street and a point 32.1 metres further east, be closed and pedestrian traffic be diverted to the adjacent roadway via a covered, protected walkway for a period of approximately five months; and
- (2) 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 might be required.

On motion by Councillor McConnell, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 79)

3.80 Maintenance of Hydro Duct Bank – Logan Avenue Flank of 1105 Dundas Street East, extending across Logan Avenue to an existing Hydro Pole on the West Side of Logan Avenue (Toronto-Danforth, Ward 30)

The Toronto South Community Council had before it a report (January 20, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Maintenance of Hydro Duct Bank – Logan Avenue Flank of 1105 Dundas Street East, extending across Logan Avenue to an existing Hydro Pole on the West Side of Logan Avenue, and recommending:

- (1) That City Council approve the installation and maintenance of a hydro duct bank within the public right of way on the Logan Avenue flank of 1105 Dundas Street East, extending across Logan Avenue flank, approximately 22.5 m south of Dundas Street East to an existing Toronto Hydro Pole on the west side of Logan Avenue, subject to the owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
 - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of Agreement in a form as approved by the Chief Financial Officer & Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer & Treasurer may require;
 - (b) maintain the hydro duct bank at their own expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and Toronto Hydro;
 - (c) remove the hydro duct bank upon receiving 90 days written notice to do so;
 - (d) pay for the cost of preparing the agreement and the registration of the Agreement on title by Legal Services;
 - (e) notify the Commissioner of Works and Emergency Services in writing within 30 days once Toronto Hydro has accepted the responsibility for the ongoing maintenance of the hydro duct bank to request a release of the Agreement from the title of the property; and
 - (f) 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;
- (2) That, in the event of sale or transfer of the property abutting the encroachment, Legal Services and/or the Commissioner of Works and Emergency Services be

authorized to extend the Encroachment Agreement to the new owner, subject to approval of the Commissioner of Works and Emergency Services; and

- (3) That Legal Services be requested to prepare and execute the Encroachment Agreement.

On motion by Councillor Fletcher, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 80)

3.81 Installation and Maintenance of Transformer Hydro Vault, Duct Banks and Two Tap Boxes – Bartlett Avenue, North Flank of 1315 Davenport Road (Davenport, Ward 17)

The Toronto South Community Council had before it a report (February 2, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Installation and Maintenance of Transformer Hydro Vault, Duct Banks and Two Tap Boxes – Bartlett Avenue, North Flank of 1315 Davenport Road, and recommending:

- (1) That City Council approve the installation and maintenance of a transformer hydro vault, duct banks and two tap boxes within portions of the public right of way on the Bartlett Avenue North Flank of 1315 Davenport Road, subject to the owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
 - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Chief Financial Officer & Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer & Treasurer may require;
 - (b) maintain the transformer hydro vault, duct banks and two tap boxes at their own expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and Toronto Hydro;
 - (c) remove the a transformer hydro vault, duct banks and two tap boxes upon receiving 90 days written notice to do so;
 - (d) pay for the cost of preparing the Agreement and the registration of the Agreement on title by Legal Services;

- (e) notify the Commissioner of Works and Emergency Services in writing within 30 days once Toronto Hydro has accepted the responsibility for the ongoing maintenance of the transformer hydro vault, duct banks and two tap boxes to request a release of the Agreement from the title of the property; and
 - (f) 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;
- (2) That, in the event of sale or transfer of the property abutting the encroachment, Legal Services and/or the Commissioner of Works and Emergency Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Works and Emergency Services; and
 - (3) That Legal Services be requested to prepare and execute the Encroachment Agreement.

On motion by Councillor Palacio, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 81)

3.82 Naming of Proposed Private Lane at 1379 Bloor Street West (Davenport, Ward 18)

The Toronto South Community Council had before it a report (February 1, 2004) from the City Surveyor, Works and Emergency Services, respecting Naming of Proposed Private Lane at 1379 Bloor Street West, and recommending:

- (1) That the proposed private lane at 1379 Bloor Street West, shown on Attachment No. 1, be named "Merchant Lane";
- (2) That Lorbeth Developments Corporation, be required to pay the costs estimated to be in the amount of \$300, for the fabrication and installation of the private street name sign; and
- (3) That the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Giambrone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 82)

3.83 Ontario Municipal Board Proceedings – Appeal of Zoning Amendment – 64 Colgate Avenue (Toronto-Danforth, Ward 30)

The Toronto South Community Council had before it a report (February 2, 2004) from the City Solicitor, respecting Ontario Municipal Board Proceedings – Appeal of Zoning Amendment – 64 Colgate Avenue.

On motion by Councillor Fletcher, the Toronto South Community Council received the report from the City Solicitor.

(Report 2, Clause 84(r))

3.84 Recommended Candidates for Nomination to the Toronto South Community Preservation Panel (All Toronto South Wards, Wards 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31 and 32)

The Toronto South Community Council had before it a report (January 30, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Recommended Candidates for Nomination to the Toronto South Community Preservation Panel (All Toronto South Wards, Wards 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31 and 32), and recommending:

- (1) That the Toronto South Community Council nominate the selected individuals listed in Attachment No. 1 to the Toronto South Preservation Panel for a period of three (3) years or until their successors are appointed in accordance with Section 103-18 of the Municipal Code; and
- (2) That the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Walker, the Toronto East York Community Council adjourned its public session to meet in camera, in accordance with the *Municipal Act*, as the subject deals with personal matters about identifiable individuals, including municipal or local board employees.

On further motion by Councillor Walker, the Toronto East York Community Council recommended the appointment of the selected individuals listed in the confidential Attachment No. 1 of the report (January 30, 2004) from the Commissioner of Economic Development, Culture and Tourism submitted to Council under separate cover, to the Toronto South Preservation Panel for a period of three (3) years or until their successors are appointed in accordance with Section 103-18 of the Municipal Code; and further that

under the Municipal Act discussions respecting the confidential attachment be held in camera as the attachment contains personal matters about identifiable individuals, including municipal or local board employees.

(Report 2, Clause 6)

3.85 Victoria Memorial Square Park Funding (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (January 13, 2004) from the Chief Financial Officer and Treasurer, respecting Victoria Memorial Square Park Funding, and recommending:

- (1) That this report be received for information; and
- (2) That this report be forwarded to the Policy and Finance Committee for information.

On motion by Councillor Chow, the Toronto South Community Council recommended to the Budget Advisory Committee, for consideration with the 2004 Budget, that:

- (1) the first phase of the project cost of \$220,000 already approved in the 2003 budget, be released so that project can begin immediately;
- (2) other revenue raised for this purpose from the local park levy and the Section 45 contribution of \$100,000 from the 126 Simcoe Street and 11 Nelson Street development project, be applied to this project in 2004;
- (3) the actual cost of the future project (\$1.5 million) be reflected in the 2004 Capital Budget of the Economic Development and Parks Department; and
- (4) the remaining funds required for the completion of the project be moved to the 2005 Capital Budget with half of the cost from debt and half from a combination parks levy, development charges and Section 45/37 monies.

(Letter sent to: Budget Advisory Committee; c: Administrator, Policy and Finance Committee; Chief Financial Officer and Treasurer; Josie LaVita, Director, Financial Planning Division, Finance Department; Judy Skinner, Senior Budget Analyst, Financial Planning Division, Finance Department – February 19, 2004)

(Report 2, Clause 84(s))

3.86 Poll Results – Request for One-Way Southbound Operation and Parking Regulations on Algarve Crescent, from Old Weston Road to Turnberry Avenue (Davenport, Ward 17)

The Toronto South Community Council had before it a report (January 14, 2004) from the City Clerk, respecting Poll Results – Request for One-Way Southbound Operation and Parking Regulations on Algarve Crescent, from Old Weston Road to Turnberry Avenue, and recommending that the direction of traffic on Algarve Crescent from Old Weston Road to Turnberry Avenue be changed from two-way to one-way southbound, and that the parking regulation be changed from the east side to the west side of the street.

On motion by Councillor Palacio, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 29)

3.87 Sale of Surplus Property – 209-211 Parliament Street (Toronto Centre-Rosedale, Ward 28)

The Toronto South Community Council had before it a report (January 30, 2004) from the Commissioner of Corporate Services, respecting Sale of Surplus Property – 209-211 Parliament Street, and recommending:

- (1) That the Offer to Purchase from Ambience Builders and Developers Inc., to purchase the City-owned property located at 209-211 Parliament Street, being part of Lots 5 and 6 on Plan D119, in the amount of \$316,200.00 be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Executive Director of Facilities and Real Estate be authorized to accept the Offer on behalf of the City;
- (2) That authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) That the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) That the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 83)

3.88 Use of Nathan Phillips Square: Camp Jumoke Turtle Walk – June 5, 2004

The Toronto South Community Council had before it a report (January 16, 2004) from the Commissioner of Corporate Services, respecting Use of Nathan Phillips Square: Camp Jumoke Turtle Walk – June 5, 2004, and recommending:

- (1) That exemption be given to the event organizers of the “Camp Jumoke Turtle Walk” to solicit donations in support of the Camp Jumoke for children with sickle cell disease, a charitable organization (charitable number 89001- 4970-RR0001); and
- (2) That the appropriate City Officials be authorized and directed to take necessary action to give effect thereto.

On motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 77)

3.89 Interim Procedures during Council Election (All Wards)

The Toronto South Community Council had before it a communication (January 12, 2004) from the City Clerk, Planning and Transportation Committee, forwarding, for information, a report (December 12, 2003) from the Commissioner of Urban Development Services.

On motion by Councillor Pantalone, the Toronto South Community Council received the communication from the City Clerk, Planning and Transportation Committee.

(Report 2, Clause 84(t))

3.90 Urban Development Study of Dundas Street East Corridor (both sides of Dundas, between the Don River and Pape Avenue) (Toronto-Danforth, Ward 30)

The Toronto South Community Council had before it a communication (February 3, 2004) from Councillor Fletcher, respecting Urban Development Study of Dundas Street East Corridor (both sides of Dundas, between the Don River and Pape Avenue).

On motion by Councillor Fletcher, the Toronto South Community Council requested the Commissioner of Urban Development Services, in consultation with the Commissioner

of Economic Development, Culture & Tourism and the Commissioner of Works & Emergency Services, to undertake a study to evaluate the need for additional controls on height, density, built form, urban character and landscape design the Dundas Street East corridor and on both sides of Dundas Street East between the Don River on the west and Pape Avenue on the east, and to submit a preliminary report on this matter to the Community Council at its meeting to be held on April 7, 2004.

(Letter sent to: Commissioner of Urban Development Services; c: Commissioner of Economic Development, Culture and Tourism; Commissioner of Works and Emergency Services – February 19, 2004)

(Report 2, Clause 84(u))

3.91 Requests for Endorsement of Events for Liquor Licensing Purposes

The Toronto South Community Council had before it various communications requesting endorsement of events for liquor licensing purposes.

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

- (1) City Council, for liquor licensing purposes, declare the following to be events of municipal and/or community significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to their taking place:
 - (a) Toronto Fiesta to be held in EarlsCourt Park on July 9, 10 and 11, 2004, between 4:00 p.m. and 11:00 p.m. ;
 - (b) Taste of Little Italy Festival to be held on College Street, between Shaw Street and Euclid Avenue from June 18 to June 20, 2004, from 12:00 noon to 11:00 p.m. daily.
- (2) City Council refuse the request from Danny Bellissimo, Bloordale Village BIA, that it declare the Bloordale Village Community Street Festival, to be held from June 25, 2004 to June 27, 2004 inclusive, an event of municipal and/or community significance and so advise the Alcohol and Gaming Commission of Ontario.

(Report 2, Clause 59)

3.92 Operation of the 2004 Molson Indy Race at Exhibition Place (Trinity-Spadina, Ward 19)

The Toronto South Community Council had before it a report (February 3, 2004) from the Director, Transportation Services, South District, respecting Operation of the 2004 Molson Indy Race at Exhibition Place, and recommending:

- (1) That stopping be prohibited from 7:00 a.m. to 8:00 p.m. from July 9, 2004 to July 11, 2004 inclusive, on both sides of Fleet Street, from Bathurst Street to Strachan Avenue, and on both sides of Strachan Avenue, from Lake Shore Boulevard West to King Street West, and extended to include July 12, 2004, if necessary;
- (2) That a taxi cab stand be established in the east bound curb lane of Lakeshore Boulevard West, between 30 metres east of Strachan Avenue and 30 metres west of Fort York Boulevard, from July 9, 2004 to July 11, 2004 inclusive, and extended to include July 12, 2004, if necessary; and
- (3) That the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be required.

On motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 49)

3.93 Winona Drive, between Falwyn Avenue and Glenhurst Avenue – Request for the installation of speed humps (St. Paul's, Ward 21)

The Toronto South Community Council had before it a report (January 29, 2004) from Director, Transportation Services, South District, respecting Winona Drive, between Falwyn Avenue and Glenhurst Avenue – Request for the installation of speed humps, and recommending that this report be received for information.

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

- (1) appropriate staff be authorized to conduct a poll of eligible householders on Winona Drive, between Falwyn Avenue and Glenhurst Avenue, and on Dundurn Crescent at the cost of the Ward Councillor, to determine support for the proposed speed hump plan noted in Recommendation No. 2 below, in accordance with the City of Toronto consolidated speed hump policy and public notice be given pursuant to the Municipal Class Environmental Assessment Act, including

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Notice of Study Commencement to the Ministry of Environment, Fire Service, Emergency Medical Service and Toronto Police Service;

- (2) subject to favourable results of the poll:
 - (a) a draft by-law be prepared for the alteration of the section of roadway on Winona Drive, between Falwyn Avenue and Glenhurst Avenue, and at the intersection of Winona Drive and Dundurn Crescent, for traffic calming purposes as described below:

“The construction of two speed humps on WINONA DRIVE, between Falwyn Avenue and Glenhurst Avenue and the narrowing of the northbound approach of the WINONA DRIVE and DUNDURN CRESCENT intersection, by the placement of a planter box, generally as shown on the attached print of Drawing No. 421F-7228, dated January 2004”;
 - (b) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
 - (c) the speed limit be reduced from 40km/h to 30 km/h on Winona Drive, between Falwyn Avenue and Glenhurst Avenue, coincident with the implementation of speed humps; and
- (3) 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 might be required.

(Report 2, Clause 48)

3.94 Laing Street, between Queen Street East and Eastern Avenue - Installation of Speed Humps (Beaches-East York, Ward 32)

The Toronto South Community Council had before it a report (February 2, 2004) from the Director, Transportation Services, South District, respecting Laing Street, between Queen Street East and Eastern Avenue - Installation of Speed Humps, and recommending that this report be received for information.

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

- (1) appropriate staff be authorized to develop a speed hump plan when feasible in the spring of 2004 in consultation with the Ward Councillor and conduct a poll of eligible householders on Laing Street, between Queen Street East and

Eastern Avenue, to determine resident support, in accordance with the City of Toronto Traffic Calming Policy; and public notice be given pursuant to the Municipal Class Environmental Assessment Act, including Notice of Study Commencement to the Ministry of Environment, Fire Service, Emergency Medical Service and Toronto Police Service;

- (2) subject to favourable results of the poll:
 - (i) a by-law be prepared for the alteration of sections of the roadway on Laing Street, between Queen Street East and Eastern Avenue, for traffic calming purposes generally as shown on the speed hump plan circulated to residents through the polling process;
 - (ii) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued;
 - (iii) the speed limit be reduced from forty kilometres per hour to thirty kilometres per hour on Laing Street, between Queen Street East and Eastern Avenue, coincident with the implementation of speed humps; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

(Report 2, Clause 47)

3.95 Glen Manor Drive between Queen Street East and a point 200 metres north of Queen Street East, Glen Manor Drive West and Glen Manor Drive East – Installation of Speed Humps (Beaches-East York, Ward 32)

The Toronto South Community Council had before it a report (February 2, 2004) from the Director, Transportation Services, South District, respecting Glen Manor Drive between Queen Street East and a point 200 metres north of Queen Street East, Glen Manor Drive West and Glen Manor Drive East – Installation of Speed Humps, and recommending that this report be received for information.

Councillor Bussin declared an interest in this matter, in that she owns property in the area.

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

- (1) appropriate staff be authorized to develop a traffic calming plan, when feasible, in the spring of 2004, in consultation with the Ward Councillor, and conduct a

poll of eligible householders on Glen Manor Drive, between Queen Street East and a point 200 metres north of Queen Street East, Glen Manor Drive West and Glen Manor Drive East, to determine resident support for the proposed speed hump plan, in accordance with the City of Toronto traffic calming policy; and public notice be given pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Service, Emergency Medical Service and Toronto Police Service;

- (2) subject to favourable results of the poll:
 - (i) a by-law be prepared for the alteration of sections of the roadway on Glen Manor Drive, between Queen Street East and a point 200 metres north of Queen Street East, Glen Manor Drive West and Glen Manor Drive East, for traffic calming purposes generally as shown on the speed hump plan circulated to residents through the polling process;
 - (ii) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued;
 - (iii) the speed limit be reduced from forty kilometres per hour to thirty kilometres per hour on Glen Manor Drive, between Queen Street East and a point 200 metres north of Queen Street East, Glen Manor Drive West and Glen Manor Drive East, coincident with the implementation of speed humps; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

(Report 2, Clause 46)

3.96 Appointments – McCormick Arena – Board of Management

The Toronto South Community Council had before it a communication (undated) from Mike Roach, Manager, McCormick Arena, forwarding nominations for appointment to the Board of Management.

On motion by Councillor Giambrone, the Toronto South Community Council recommended that John Hermann, Ken Sherbanowski, Mike English, Alfred Epifanio, Jeannie Dynak, Robert Gagne, Donna Kairys, William Reynolds, Stephen Lee, David Fauser and Chris Korwin Kuczynski be appointed to the Board of Management of the McCormick Arena, until November 30, 2006, on an interim basis, at the pleasure of Council, and until their successors are appointed.

(Report 2, Clause 45)

3.97 Decision of Agnes Macphail Award Recognition Committee – Recipient of 2004 Agnes Macphail Award

The Toronto South Community Council had before it a communication (February 10, 2004) from Graham Mitchell, Administrative Support, Agnes McPhail Recognition Committee, forwarding the decision of the Committee respecting Recipient of 2004 Agnes Macphail Award.

On motion by Councillor Davis, the Toronto South Community Council recommended the adoption of the recommendation contained in the confidential communication (February 10, 2004) from Graham Mitchell, Administrative Support, Agnes McPhail Recognition Committee, and further that under the *Municipal Act* discussions respecting this matter be held in camera as the subject deals with personal matters about identifiable individuals, including municipal or local board employees.

(Letter sent to: City Council – February 19, 2004)

(Report 2, Clause 84(v))

(Toronto North Community Council Report 2, Clause 40)

3.98 Robert Street and Russell Street – Amendment to Parking Regulations to assist emergency vehicle access (Trinity-Spadina, Ward 20)

The Toronto South Community Council had before it a report (February 2, 2004) from the Director, Transportation Services, South District, respecting Robert Street and Russell Street – Amendment to Parking Regulations to assist emergency vehicle access, and recommending:

- (1) That the “No Parking Anytime” regulation on the west side of Robert Street, between College Street and Harbord Street, be adjusted to be in effect from College Street to a point 15 metres south of Russell Street, and from a point 15 metres north of Russell Street to Harbord Street;
- (2) That the “No Parking, from 8:00 a.m. to 5:30 p.m. Monday to Friday” regulation on the east side of Robert Street, from a point 83.8 metres south of Russell Street to Russell Street, be adjusted to be in effect from a point 15 metres south of Russell Street to a point 83.8 metres south of Russell Street;
- (3) That a “No Standing Anytime” prohibition be introduced on Robert Street, east side, from Russell Street to a point 15 metres south of Russell Street;

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- (4) That a “No Standing Anytime” prohibition be introduced on Robert Street, west side, from a point 15 metres north of Russell Street to a point 15 metres south of Russell Street; and
- (5) That the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Chow, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 44)

3.99 Sale of Strip of Land Adjoining 317 Dundas Street West (Trinity-Spadina, Ward 20)

On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a report (February 17, 2004) from the Commissioner of Corporate Services, seeking authority for the sale of the City-owned surplus strip of land adjacent to 317 Dundas Street West, to the adjoining owner, the Art Gallery of Ontario.

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

- (1) authority be granted to enter into an Agreement of Purchase and Sale with the Art Gallery of Ontario (“AGO”) with respect to the strip of City-owned land adjoining 317 Dundas Street West, identified as part of Lots 1 to 12, inclusive and part of the Closed Lanes on Plan 343 and Part of Park Lot 13 in the First Concession from the Bay, together shown as Parts 2, 3 and 4 on Sketch No. PS-2003-074, at a purchase price no less than \$160,000.00, subject to the reservation of an easement in favour of the City over the entire property for public pedestrian and streetscaping uses, and such other terms and conditions as the Commissioner of Corporate Services deems appropriate;
- (2) the City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing date to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable;
- (3) Council make a grant to the AGO of \$160,000.00 in accordance with section 107 of the Municipal Act, as the AGO is not an entity to which such a grant is prohibited under section 106 of the Municipal Act;

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- (4) the AGO enter into an agreement to apply \$80,000.00 for improvements to Grange Park, subject to agreement with the Commissioner of Economic Development, Culture and Tourism, the expenditures to be made within 2 years of the transfer of the lands and up to \$30,000.00 may be used for the purpose of the AGO's share of a study of Grange Park, to be undertaken jointly between the City and the AGO;
- (5) Council determine that it is in the best interests of the municipality to make the grant to the AGO;
- (6) this transaction constitutes exceptional circumstances or circumstances not contemplated in June 2002, pursuant to Clause (13) of Appendix A of the Policy Governing Land Transactions Among City Agencies, Boards, Commissions and Departments and Proceeds of Sale of Surplus City-Owned Property embodied in Report 9 of the Policy and Finance Committee adopted by Council at its meeting held on June 18, 19, and 20, 2002.
- (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On further motion by Councillor Chow, the Toronto South Community Council requested the Commissioner of Economic Development, Culture and Tourism to report to the Community Council on the best method of preserving the existing buildings on the north side of Dundas Street West opposite the Art Gallery of Ontario.

(Letter sent to: Commissioner of Economic Development, Culture and Tourism; c: Commissioner of Corporate Services; Melanie Hale-Carter, Appriaser/Negotiator, Corporate Services; City Solicitor – February 19, 2004)

(Report 2, Clause 43)

3.100 College Street, between Bathurst Street and Spadina Avenue – Proposed roadway modifications in conjunction with streetcar track reconstruction (Trinity-Spadina, Ward 20)

On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a report (February 16, 2004) from the Director, Transportation Services, South District, respecting College Street, between Bathurst Street and Spadina Avenue – Proposed roadway modifications in conjunction with streetcar track reconstruction, and recommending:

- (1) That in order to authorize the roadway modifications and in turn enable the implementation of the proposed streetscape improvements described in the text of this report on COLLEGE STREET, from Bathurst Street to Spadina Avenue, By-

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law No. 602-89, be amended by deleting reference to Drawing Nos. 421F-5770 and 421F-5771, dated July 2000, and replacing them with Drawing Nos. 421F-7266, and 421F-7267, dated February 2004;

- (2) coincident with the installation of the roadway modifications set out in the Recommendation No. 1 above:
 - (a) the existing northerly westbound right-turn lane on College Street at Spadina Avenue, be rescinded;
 - (b) the existing southerly eastbound right-turn lane on College Street at Spadina Avenue, be rescinded;
 - (c) the existing safety zone on the south-west corner of College Street and Augusta Avenue, be rescinded; and
- (3) 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 South Community Council also had before it a report (February 16, 2004) from the Commissioner of Economic Development, Culture and Tourism, and recommending that:

- (1) all healthy existing street trees located within the project limits be retained utilizing the least invasive sidewalk construction as determined by the Commissioner of Works and Emergency Services in consultation with the Commissioners of Urban Development Services and Economic Development, Culture and Tourism.
- (2) all street trees that are dead or in poor condition within the project limits be replaced.
- (3) the Commissioner of Economic Development, Culture and Tourism collaborate with the Commissioners of Works and Emergency Services and Urban Development Services to pursue, within the budget limitations and the design parameters of this project, the maximum tree planting opportunities as discussed within the body of this report.
- (4) the appropriate City Officials, in consultation with the Harbord Village Residents' Association and College Street business owners, pursue all available tree watering opportunities following construction.

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

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- (1) the reports (February 16, 2004) from the Director, Transportation Services and (February 16, 2004) from the Commissioner of Economic Development, Culture and Tourism be adopted;
- (2) City Council express its appreciation of the effort from the local community, businesses and Harbord Village Residents Association in their effort to beautify and revitalized college street and spearhead the initiative to increase sidewalk space and plant more trees onto college street and for their ongoing involvement in the Avenues Study;
- (3) the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism continue the on going dialogue with the HVRA to refine the details of the urban designs of the street.
- (4) if feasible, the covers around the trees be redesigned in order to maximize the retention of the newly planted trees, and contribute to the urban design of the street; and
- (5) the Toronto Firefighters Association and the staff at Fire Station No. 315 be requested to adopt the 16 trees continuous tree pits pilot project and to assist in the watering of these trees, and further that the Commissioner of Economic Development, Culture and Tourism report to the Community Council in six months on the result of this request.

On further motion by Councillor Chow, the Toronto South Community Council recommended to the Budget Advisory Committee, for consideration with the 2004 Budget, that \$232,500 be added to the College Street Reconstruction project for adding extra trees, pavers and tree pits, the source of funds being allocated from monies assigned to Ward 20 from any of the following existing accounts:

\$15 million for local road construction
\$21.9 million for local road resurfacing
\$9.7 million for sidewalk and laneways
\$1 million for construction of pavement and sidewalks
\$18 million for major road resurfacing.

(Letter sent to: Budget Advisory Committee; c: Director, Transportation Services, South District; Danny Budimirovic, Acting Manager, South District; Colin Booth, Coordinator, Infrastructure Asset Management and Programming; Commissioner of Economic Development, Culture and Tourism; Don Boyle, Director of Parks and Recreations, South District – February 19, 2004)

(Report 2, Clause 42)

3.101 College Street, from Montrose Avenue to Gladstone Avenue – Realignment of selected side streets at their intersections with College Street in conjunction with streetcar track reconstruction (Davenport, Ward 18 and Trinity-Spadina, Ward 19)

On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a report (February 16, 2004) from the Director, Transportation Services, South District, requesting authorization realignment of various side streets at their intersections with College Street, between Montrose Avenue and Gladstone Avenue, in conjunction with the TTC streetcar track reconstruction scheduled this year, to enhance pedestrian amenities through wider sidewalks, decrease pedestrian crossing distances, deter unlawful entry of vehicles onto one-way streets and facilitate planting of trees, and recommending:

- (1) that approval be given to narrow intersecting streets along College Street, between Montrose Avenue and Gladstone Avenue, generally as shown on the attached Drawing No. 421F-7241, dated February 2004; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On further motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 41)

3.102 Committee of Adjustment Appeal – 1420 Dupont Street and 830 Lansdowne Avenue (Davenport, Ward 18)

On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a communication (undated) from Councillor Giambrone, respecting Committee of Adjustment Appeal – 1420 Dupont Street and 830 Lansdowne Avenue, and requesting that City Council instruct the City Solicitor and City staff to oppose the decision of the Committee of Adjustment and to seek party status before the Ontario Municipal Board to oppose the motion to dismiss at the March 19, 2004 hearing.

On motion by Councillor Giambrone, the Toronto South Community Council recommended that the City Solicitor be instructed to oppose the decision of the Committee of Adjustment respecting 1420 Dupont Street and 830 Lansdowne Avenue and to seek party status before the Ontario Municipal Board to oppose the motion to dismiss at the hearing to be held on March 19, 2004.

(Report 2, Clause 40)

3.103 Committee of Adjustment Appeal – 878 Yonge Street (Toronto Centre-Rosedale, Ward 27)

On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a communication (undated) from Councillor Rae, respecting Committee of Adjustment Appeal – 878 Yonge Street, and requesting that City Council instruct the City Solicitor to appeal the decision of the Committee of Adjustment, dated February 5, 2004, to the Ontario Municipal Board.

On further motion by Councillor Pantalone, the Toronto South Community Council recommended that the City Solicitor be instructed to appeal the decision of the Committee of Adjustment to the Ontario Municipal Board respecting 878 Yonge Street.

(Report 2, Clause 39)

3.104 Request for Demolition - 50 Crescent Road (Toronto Centre-Rosedale, Ward 27)

On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a communication (undated) from Councillor Rae, requesting that City Council deny application Number 03-202751 for the demolition of the building at 50 Crescent Road.

On further motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the following motion by Councillor Rae:

“Whereas the subject property at 50 Crescent Road is located in the South Rosedale Heritage Conservation District and is classified as a “C” in the South Rosedale Heritage Conservation District study;

Whereas the existing residence was damaged by fire in August 2003;

Whereas City staff has received correspondence from William Greer, Heritage Consultant/Architect, stating the existing residence is of “marginal architectural integrity;”

Whereas the owner applied for a demolition permit (Permit No.: 03-202751) of the existing residence on December 24, 2003;

Whereas the *Ontario Heritage Act* requires that Council give notice of their refusal of the demolition application within 90 days of notice of receipt;

Whereas the owner of the property has been consulting with Heritage Preservation Services staff regarding a design for the replacement residence.

Whereas the existing residence requires further study to evaluate its heritage value;

Now therefore be it resolved that Council deny application Number 03-202751 for the demolition of the building at 50 Crescent Road.”

(Report 2, Clause 15)

3.105 20 Carlton Street – Ontario Municipal Board Decision, Condominium Conversion and Official Plan Amendment (Toronto Centre-Rosedale, Ward 27)

On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a report (February 16, 2004) from the City Solicitor, respecting 20 Carlton Street – Ontario Municipal Board Decision, Condominium Conversion and Official Plan Amendment.

On further motion by Councillor Pantalone, the Toronto South Community Council submitted this matter to Council without recommendation, and advised that, under the *Municipal Act*, discussions on this matter be held in camera, as the subject deals with the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

On further motion by Councillor Pantalone, the Toronto South Community also requested the City Solicitor to report directly to Council on this matter, in camera, if necessary.

(Letter sent to: City Solicitor; c: John Paton, Legal Services – February 19, 2004)

(Report 2, Clause 11)

3.106 Maintenance of a Flagpole and Building Façade – 257 Euclid Avenue (Trinity-Spadina, Ward 19)

On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a report (February 12, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Maintenance of a Flagpole and Building Façade – 257 Euclid Avenue, and recommending that:

- (1) City Council approve the maintenance of the flagpole together with the building façade within the public right of way fronting 257 Euclid Avenue, subject to the

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property owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:

- (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Chief Financial Officer & Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer & Treasurer may require;
 - (b) maintain the flagpole and building façade at his own expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services, including the immediate removal of all graffiti;
 - (c) remove the flagpole upon receiving 90 days written notice to do so;
 - (d) obtain approval for associated work on private property from Urban Development Services;
 - (e) pay for the cost of preparing the Agreement and the registration of the Agreement on title by Legal Services; and
 - (f) 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;
- (2) in the event of sale or transfer of the property abutting the encroachment, Legal Services and/or the Commissioner of Works and Emergency Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Works and Emergency Services; and
 - (3) Legal Services be requested to prepare and execute the Encroachment Agreement.

On further motion by Councillor Pantalone, the Toronto South Community Council recommended the adoption of the report.

(Report 2, Clause 9)

3.107 Results of poll of residents of Wells Hill Avenue regarding the installation of on-street permit parking (St. Paul's West, Ward 21)

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On motion by Councillor Pantalone, the Toronto South Community Council allowed the introduction of a communication (February 11, 2004) from Councillor Mihevc, respecting the installation of on-street permit parking on Wells Hill Avenue.

On motion by Councillor Mihevc, the Toronto South Community Council requested the Commissioner of Works and Emergency Services to report on permitting overnight permit parking for residents of Wells Hills Avenue, between Nina Street and Lyndhurst Avenue.

(Letter sent to: Commissioner of Works and Emergency Services – February 19, 2004)

(Report 2, Clause 84(w))

The Committee adjourned its meeting at 6:30 p.m.

Chair

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Attendance

February 17, 2004	9:30 a.m. – 12:30 p.m.	2:00 p.m. – 6:30 p.m.
Councillor Rae (Chair)	x	x
Councillor McConnell (Vice-Chair)	x	x
Councillor Bussin	x	x
Councillor Chow	x	x
Councillor Davis	x	x
Councillor Fletcher	x	x
Councillor Giambrone	x	x
Councillor Mihevc	x	x
Councillor Ootes		
Councillor Palacio	x	x
Councillor Pantalone	x	x
Councillor Walker	x	x
Mayor Miller		

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