

**THE CITY OF TORONTO**

**City Clerk's Office**

**Minutes of the Toronto and East York Community Council**

**Meeting 10**

**Tuesday, November 16, 2004**

The Toronto and East York Community Council met on Tuesday, November 16, 2004, in Committee Room 1, 2<sup>nd</sup> Floor, City Hall, Toronto, commencing at 9:30 a.m.

No interests were declared pursuant to the Municipal Conflict of Interest Act.

**10.1 Further Report – Amendments the Garrison Common North Community Improvement Plan (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a further report (November 1, 2004) from the Director, Community Planning, South District, respecting Amendments the Garrison Common North Community Improvement Plan, and recommending that City Council:

- (1) adopt the amendments to the Community Improvement Plan for Garrison Common North substantially as set out in Attachment 1 of this report;
- (2) direct the City Solicitor to introduce the necessary Bills in Council to give effect to the foregoing recommendation; and
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft by-law attached to this report as may be required.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act* and no one addressed the Community Council.

On motion by Councillor Giambrone, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 1, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 1)**

**10.2 Final Report – Application to Amend the Zoning By-law – Ward’s and Algonquin Islands (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a final report (October 21, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Zoning By-law – Ward’s and Algonquin Islands, and recommending that City Council:

- (1) 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. 1; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

The Toronto and East York Community Council also had before it the following:

- Communication (November 9, 2004) from Eugene Girdauskas; and
- Communication (undated) from Ellen Vera Allen, Toronto Island Community Association.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act*.

The following appeared before the Toronto and East York Community Council:

- Ellen Allen on behalf of Toronto Island Community Association; and
- Pam Mazza on behalf of Toronto Islands Residential Community Trust.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 21, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 2)**

**10.3 Final Report – Applications to Amend the Official Plan and Rezoning By-laws and Site Plan – 243 Eglinton Avenue West and 500 Oriole Parkway (St. Paul’s, Ward 22)**

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The Toronto and East York Community Council had before it a final report (October 23, 2004) from the Director, Community Planning, South District, respecting Applications to Amend the Official Plan and Rezoning By-laws and Site Plan – 243 Eglinton Avenue West and 500 Oriole Parkway, and recommending that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8;
- (2) amend the Zoning By-law 438-86 for the City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9;
- (3) 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) require that, before introducing the necessary Bills to City Council for enactment, the owner enter into a Site Plan Agreement under Section 41 of the *Planning Act*; and
- (5) the owner shall provide and maintain an irrigation system, for the proposed trees within the public road allowances, including an automatic timer, designed to be water efficient by a certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Commissioner of Works and Emergency Services, including requirements to maintain in good order and operation.

The Toronto and East York Community Council also had before it the following:

- Supplementary Report (November 9, 2004) from the Acting Director, Community Planning, South District, recommending that:
  - (1) Community Council defer consideration of the Final Report of the Director, Community Planning, South District, dated October 23, 2004, until the issue of vehicular access to 500 Oriole Parkway is resolved;
  - (2) any person attending the originally scheduled public hearing be allowed to speak, as a courtesy, and any person who wishes notice of the re-scheduled hearing be given the opportunity to request notice; and
  - (3) in the event the resolution of the access requires changes to the proposed zoning by-law, the Director, Community Planning, South District, be authorized to provide notice in respect to a re-scheduled public hearing in regard to the proposed revised by-law; and

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- Communication (November 11, 2004) from Jeffrey P. Peters, Vice President, Base-Land Developments Inc.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act*.

Anne Collins appeared before the Toronto and East York Community Council.

On motion by Councillor Walker, the Toronto and East York Community Council:

- (1) adopted the supplementary report (November 9, 2004) from the Acting Director, Community Planning, South District, and in so doing:
  - (a) deferred consideration of the Final Report (October 23, 2004) from the Director, Community Planning, South District, until the issue of vehicular access to 500 Oriole Parkway is resolved;
  - (b) allowed any person to speak at the originally scheduled public meeting and any person who wishes notice of the re-scheduled meeting to be given an opportunity to request notice;
  - (c) in the event the resolution of the access requires changes to the proposed zoning by-law, authorised the provision of notice in respect to a re-scheduled public meeting in regard to the proposed revised by-law; and
- (2) requested the Acting Director, Community Planning, South District, to arrange a meeting with the ward Councillor and tenants of the adjoining building.

(Letter sent to: Acting Director, Community Planning, South District; Interested Persons; c: City Solicitor; Michael Mestyan, Planner, South District, North Section – November 19, 2004)

**(Report 9, Clause 69(a))**

4. **Final Report – Application to Amend the new Toronto Official Plan and former City of Toronto Official Plan and Zoning By-law and Intention to Designate under Part IV of the *Ontario Heritage Act*, Alterations to a Heritage Property and Authority to enter into a Heritage Easement Agreement – 736 Dundas Street East (Adam Beck Cigar Box Manufacturing Company) (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a final report (October 27, 2004) from the Director, Community Planning, South District, respecting Application to

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Amend the new Toronto Official Plan and former City of Toronto Official Plan and Zoning By-law and Intention to Designate under Part IV of the *Ontario Heritage Act*, Alterations to a Heritage Property - 736 Dundas Street East (Adam Beck Cigar Box Manufacturing Company), and recommending approval of an application to amend the Official Plan and Zoning By-law to permit the construction of 40 residential units in a former industry/commercial building, and recommending that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8;
- (2) 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. 9;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and the draft Zoning By-law Amendment as may be required;
- (4) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 7; and
- (5) require that a Heritage Easement Agreement be entered into, satisfactory to the Manager, Heritage Preservation Services, and be executed prior to the issuance of Site Plan Approval.

The Toronto and East York Community Council also had before it the following:

- Report (September 24, 2004) from the Commissioner of Economic Development, Culture and Tourism respecting designation under Part IV of the *Ontario Heritage Act*, alterations to a heritage property and authority to enter into a Heritage Easement Agreement, and recommending that:
  - (1) Council state its intention to designate the property at 736 Dundas Street East (Adam Beck Cigar Box Manufacturing Company Building) under Part IV of the *Ontario Heritage Act*;
  - (2) if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the *Ontario Heritage Act*;

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- (3) 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) the alterations to the heritage property at 736 Dundas Street East containing the Adam Beck Cigar Box Manufacturing Company Building substantially as shown in the plans and drawings prepared by Gabriel Bodor Architect Inc. dated September 21, 2004 and generally described in the Heritage Impact Statement prepared by Spencer R. Higgins Architect Inc. dated September 20, 2004, both on file with the Manager, Heritage Preservation Services, be approved subject to:
  - (a) prior to Site Plan Approval, the Owner will:
    - (i) enter into and register on title a Heritage Easement Agreement with the City to provide for the permanent protection of the heritage building;
    - (ii) provide a detailed Landscape Plan to the satisfaction of the Manager, Heritage Preservation Services; and
    - (iii) provide exterior architectural details and building materials to the additions to the satisfaction of the Manager, Heritage Preservation Services; and
  - (b) prior to the issuance of any building permits, including permits for demolition, excavation and shoring, the Owner will provide:
    - (i) a Conservation Plan, prepared by a qualified heritage architect, detailing interventions and conservation work to the heritage building to the satisfaction of the Manager, Heritage Preservation Services;
    - (ii) exterior lighting detail to the satisfaction of the Manager, Heritage Preservation Services; and
    - (iii) provide financial security in an amount and form satisfactory to the Commissioner of Economic Development, Culture and Tourism, for the protection of the heritage building during construction and to implement the Conservation Plan;
- (5) authority be granted by City Council for the execution of a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the owner of 736 Dundas Street East, using substantially the form of

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easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services; and

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

- Communication (October 21, 2004) from the Toronto Preservation Board recommending to the Toronto and East York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (September 24, 2004) from the Commissioner of Economic Development, Culture and Tourism; and
- Communication (November 10, 2004) from D. Hammer.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act*.

The following appeared before the Toronto and East York Community Council:

- Brian Eng; and
- Mike Kovrecik.

On motion by Councillor McConnell, the Toronto and East York Community Council recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the report (October 27, 2004) from the Director, Community Planning, South District; and
- (2) adopt the staff recommendations in the Recommendations Section of the report (September 24, 2004) from the Commissioner of Economic Development, Culture and Tourism.

**(Report 9, Clause 3)**

**10.5 Final Report – Application to Amend the Official Plan and Zoning By-law – 5 Everett Crescent (Beaches-East York, Ward 31)**

The Toronto and East York Community Council had before it a final report (October 25, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and Zoning By-law – 5 Everett Crescent, and recommending that City Council:

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- (1) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 5;
- (2) amend the Zoning By-law for the former Borough of East York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6; and
- (3) 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.

The Toronto and East York Community Council also had before it a communication (November 15, 2004) from Karen Thomas.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act*.

The following appeared before the Toronto and East York Community Council:

- Karen Thomas;
- Fidel Singh;
- Julie Murtha;
- Nick Galati; and
- Stan Fiendberg.

On motion by Councillor Davis, the Toronto and East York Community Council submitted the report (October 25, 2004) from the Director, Community Planning, South District to City Council without recommendation.

On motion by Councillor Davis, the Toronto and East York Community Council also:

- (1) requested the City Solicitor, in consultation with the Commissioner of Urban Development Services, to report directly to City Council for its meeting on November 30, 2004 respecting the ownership of the subject property and the ability of the owner to develop the property; and
- (2) requested the Commissioner of Urban Development Services to:
  - (a) report to the Toronto and East York Community Council on the Site Plan; and
  - (b) arrange a meeting with the applicants, adjacent property owners and neighbours to discuss any outstanding issues prior to the Site Plan approval.



(Letter sent to: City Solicitor; Commissioner of Urban Development Services – November 19, 2004)

**(Report 9, Clause 4)**

**10.6 Final Report – Application to Amend the Official Plan and Draft Plan of Condominium – 75 and 79 Oriole Road and 73 Oriole Gardens (St. Paul’s, Ward 22)**

The Toronto and East York Community Council had before it a final report (October 25, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and Draft Plan of Condominium – 75 and 79 Oriole Road and 73 Oriole Gardens, and recommending that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 4;
- (2) direct the City Solicitor to request the Ontario Municipal Board to modify the new City of Toronto Official Plan substantially in accordance attachment No. 5;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments as may be required;
- (4) authorize Draft Approval of the Plans of Condominium for 75 & 79 Oriole Road and 73 Oriole Gardens, date stamped as received on 14 April, 2004 and that the Chief Planner is authorized to permit any red line revisions as deemed appropriate;
- (5) require the owner to fulfill the following conditions of Draft Approval of the Plans of Condominium, including the execution and satisfactory registration of any condominium agreements deemed necessary by the City Solicitor, prior to the City’s consent for final registration and authorize the City Solicitor to prepare any necessary condominium agreements to secure the conditions, as the City Solicitor deems necessary:
  - A. the plans of condominium (declaration and description) shall be registered within 3 years from the date that Council approves these Draft Plans of Condominium, otherwise the approval shall lapse and be of no further force and effect;
  - B. Comprehensive Reserve Study:

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- (1) the declarant shall, at its own expense, carry out and complete a comprehensive reserve fund study, as defined in s. 27 of O. Reg 48/01 made under the Condominium Act, 1998 as a “comprehensive study”, prior to registration of the plans of condominium (declaration and description);
- (2) the comprehensive study required in condition B(1) above shall be carried out in accordance with the requirements of the Condominium Act, 1998 and the regulations made thereunder, provided that the persons conducting the study shall in connection with the physical analysis, be a professional engineer registered as such and holding a certificate of authorization within the meaning of the Professional Engineers Act;
- (3) in addition to the requirements under the regulations made under the Condominium Act, 1998:
  - (a) the financial analysis component of the comprehensive study shall include a simple, easily read table setting out, by unit type, the recommended average dollar amount of contributions to the reserve fund that will be required to be paid annually per unit to the reserve fund for each year covered by the study (not less than 30 years) based on the reserve fund required to be established by the declarant in accordance with condition D below. The table shall be in the form of the Cash Flow Table forming part of Form 15 of O. Reg. 48/01, as amended from time to time, made under the Condominium Act, 1998;
  - (b) the physical analysis component of the comprehensive study shall include, in addition to the component inventory and assessment of each item within the component inventory, a detailed list of :
    - (i) the repairs and components to be replaced as a result of outstanding work orders issued by the City of Toronto;
    - (ii) the repairs and components to be replaced in order to bring the building into compliance with c. 629, Property Standards, of the City of Toronto Municipal Code; and
    - (iii) any other repairs and components to be replaced which, in the opinion of the consultant(s) carrying

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out such study, should be completed by the declarant prior to registration of the plans of condominium (declaration and description) against the lands; and

- (c) in addition to their signatures, the persons conducting the comprehensive study in respect of the property shall include the following statement in the study:

“Notwithstanding that our fee for this study will be paid by the Declarant, we have prepared this study for the Declarant and the Condominium Corporations which will be created upon registration of the plans of condominium (the “Condominium Corporations”) and we acknowledge that this study will be turned over to the Board of Directors of the Condominium Corporations and they can rely upon this study and the opinions and findings expressed herein, and consent and agree to such reliance.”

- C. the declarant shall, prior to registration of the plans of condominium (declaration and description), at its own expense:

- (1) complete each of the repairs and replace each of the components set out on the lists compiled pursuant to conditions B(3)(b)(i), (ii) and (iii) above as detailed in the comprehensive study; and
- (2) provide to the City of Toronto’s Commissioner of Urban Development Services (“the Commissioner”) a certificate from the persons carrying out the study confirming all of the repairs and replacements set out on the lists compiled pursuant to conditions B(3)(B)(i), (ii) and (iii) have been satisfactorily completed.

- D. the declarant shall, prior to registration of the plans of condominium (declaration and description), at its own expense, establish a reserve fund for the benefit of the condominium corporations to be created in an amount not less than the greater of:

- (1) the amount, if any, recommended in the comprehensive study required in condition B above; and
- (2) the amount required pursuant to the Condominium Act, 1998, if any.

- E. the declarant shall provide a copy of the comprehensive study required in condition B(1) above, including the matters required in condition B(3) above, to the Commissioner prior to the registration of the plans of condominium (declaration and description).
- F. the declarant shall, prior to the registration of the plans of condominium (declaration and description) provide its solicitors confirmation that the disclosure statement required to be delivered to every person who purchases a unit or a proposed unit pursuant to Section 72 of the Condominium Act, 1998, did in addition to the matters specified in such Act:
- (1) include a copy of the table required to be prepared in condition B(3)(a) above as updated and signed by the person who carried out the financial analysis component of the comprehensive study required in condition B(1) to:
    - (a) reflect the actual reserve fund established by the declarant pursuant to condition D above;
    - (b) describe the repairs/renovation work that must be completed by the declarant as a condition of registration; and
    - (c) take into account all repairs and renovations completed by the declarant which are set out on the lists compiled pursuant to conditions B(3)(b)(i), (ii) and (iii) above as detailed in the comprehensive study; and
  - (2) that such updated table be included in the statement required in condition B(3)(c) above.
- G. upon presentation to the Commissioner of a certificate from a professional engineer registered as such and holding a certificate of authorization within the meaning of the Professional Engineers Act stating that Conditions A, D, E and F have been satisfied and provided Conditions A, E and I have been satisfied, the plans may be registered.
- H. the condominium declaration shall clearly identify and explain the nature of any short-term residential uses permitted in the condominiums, to the satisfaction of the Commissioner of Urban Development Services.
- I. the declarant shall provide a tax certificate, which confirms that all municipal taxes have been paid in full.

- J. the declarant agrees not to pass on, in the form of rent increases to existing tenants, any costs associated with the renovations or alterations of the building or any increase in property taxes due to a change in the assessed value of the property identified in this application.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act*.

Michael Vaughan appeared before the Toronto and East York Community Council.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 25, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 5)**

**10.7 Final Report – Application to Amend the Official Plan and Zoning By-law – 2575 and 2625 Danforth Avenue (Beaches-East York, Ward 32)**

The Toronto and East York Community Council had before it a final report (November 1, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and Zoning By-law – 2575 and 2625 Danforth Avenue , and recommending that City Council:

- (1) 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) amend the Zoning By-law 438-86, as amended, for 2575 and 2625 Danforth Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10;
- (3) 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) before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement and have completed registration on title securing the benefits outlined in this report;
- (5) before introducing the necessary Bills to City Council for enactment, require the owner to submit all environmental site assessment reports describing the current

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site conditions and the proposed remedial action plans to the Commissioner of Works and Emergency Services;

- (6) require the owner to pay all costs associated with the City retaining a third-party peer reviewer and submit, prior to the introduction of Bills to City Council for enactment, a certified cheque payable to the City of Toronto in the amount of \$3,000.00, as a deposit towards the cost of the peer review;
- (7) require the owner to submit to the Commissioner of Works and Emergency Services, prior to the introduction of Bills to City Council for enactment, a statement from a Professional Engineer (sealed and dated), for peer review and concurrence, that based on all necessary supporting environmental documents:
  - (i) the site is suitable for its intended use; and
  - (ii) it is unlikely that there is any off-site contamination, resulting from past land uses on the site, that has migrated from the site to the adjacent right-of-way that would exceed applicable MOE guidelines, objectives, or regulations;
- (8) require the owner to enter into an agreement with the City, prior to the introduction of Bills to City Council for enactment, should it be determined that remediation of the adjacent right-of-way is required, in which the owner, or the party responsible for the contamination, commits to carrying out a remedial work plan acceptable to the City;
- (9) require the owner to submit, prior to the occupancy of either of the proposed new buildings, a Record of Site Condition (RSC) to the Commissioner of Works and Emergency Services with respect to the statement from the Professional Engineer submitted prior to the introduction of the Bills to City Council for enactment;
- (10) require the owner to 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;
- (11) require the owner to submit, prior to the introduction of the Bills to City Council, to the Commissioner of Works and Emergency Services, a site servicing assessment to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development; demonstrate how this site can be serviced; and, whether the existing municipal infrastructure is adequate to service the development;
- (12) require the owner to submit, prior to the introduction of Bills to City Council, a municipal lighting assessment for the Danforth Avenue and Main Street rights-of-

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way, along the boundaries of the site to the satisfaction of the Commissioner of Works and Emergency Services;

- (13) require the owner to pay all streetlighting costs associated with development of the site including any required upgrades, relocation and changes to the existing lighting as required on Danforth Avenue and Main Street;
- (14) require the owner to pay for any improvements to the municipal infrastructure in connection with Conditions (11) and (12) above, should it be determined that upgrades are required to the infrastructure to support this development, according to the site servicing review accepted by the Commissioner of Works and Emergency Services;
- (15) require the owner to submit to the Commissioner of Works and Emergency Services, at least three weeks prior to the introduction of Bills to City Council final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed buildings to enable the preparation of building envelope plans; and
- (16) require the owner to submit a Noise Impact Statement to the Commissioner of Urban Development Services, prior to the introduction of Bills to Council.

The Toronto and East York Community Council also had before it the following:

- Supplementary Report (November 15, 2004) from the Acting Director, Community Planning, South District, recommending that City Council:
  - (1) amend the report dated November 1, 2004 from the Director, Community Planning, South District by deleting Attachment 1 (Site Plan) and substituting the revised Attachment 1 contained in this report ;
  - (2) amend Attachment 9 (Draft Official Plan Amendment) of the report dated November 1, 2004 from the Director, Community Planning, South District by deleting Section 3 (b) and replacing it with the following:
    - “(b) the Owner of the lot at its expense and in accordance with and subject to the agreement pursuant to Section 37 of the *Planning Act* referred to in this By-law enters into an agreement pursuant to Section 37 of the *Planning Act* to secure the following facilities, services and matters:
      - (i) the provision of a new non-profit daycare facility for a minimum of 65 children, including both indoor and outdoor space;

- (ii) maintain the 1,080 existing rental units and the 43 rental units under construction through conversions in Buildings A, B, C and D as rental for a minimum period of 25 years, making no application for condominium construction or for demolition to construct anything other than rental dwelling units; if the tax rate were to increase such that the owner is paying more tax than they would if the rental units were registered as a condominium, the owner will have the right to apply for an Official Plan Amendment and zoning by-law amendment removing the requirement for the designated rental units to be maintained as rental units prior to the expiry of this 25 year period, provided that all of the rental dwelling units remain as rental dwelling units until the owner obtains approval for an Official Plan Amendment and zoning by-law amendment removing the requirement that the owner provide and maintain the designated dwelling units as rental dwelling units;
- (iii) improvements to the 4 existing rental buildings (A, B, C and D) at least as follows with no cost pass through in rents to the tenants:
  - (a) refurbishing of the lobby entrances of Buildings B and C;
  - (b) a minimum of 150 square metres of amenity space shall be provided in the existing buildings, and to the extent possible throughout all 4 buildings, primarily for the benefit of their tenants; and
  - (c) the provision of new loading spaces adjacent to the 4 existing buildings;
- (iv) provide and maintain up to two additional rental apartment buildings as rental for at least 25 years commencing from the date of initial occupancy of each unit subject to the following:
  - (a) no application shall be made for condominium conversion or for demolition to construct anything other than rental dwelling units during the 25-year period; if the tax rate were to increase such that the owner is paying more tax than they would if the rental units were registered as a condominium, the owner will have the right to apply for an Official



Plan Amendment and zoning by-law amendment removing the requirement for the designated rental units to be maintained as rental units prior to the expiry of this 25 year period, provided that all of the rental dwelling units remain as rental dwelling units until the owner obtains approval for an Official Plan Amendment and zoning by-law amendment removing the requirement that the owner provide and maintain the designated dwelling units as rental dwelling units;

- (b) as mid-range rental units, the initial rents and the rents upon turnover for all the new dwelling units during the first 5 years of the buildings' occupancy shall be below 1.5 times the average rents by unit type for the City of Toronto as reported by Canada Mortgage and Housing Corporation in their most recent annual Rental Market Survey Report;
- (c) annual increases to tenants who occupy the units in the initial 5 year period shall not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, for as long as the tenant remains in the same unit;
- (d) rents charged to tenants newly occupying the units after the completion of the 5 year period set forth in (b) will not be subject to restriction from the City of Toronto under the terms of the Section 37 Agreement;
- (v) the owner shall provide a Construction Mitigation and Tenant Communication Plan to the satisfaction of the Director, Community Planning, South District, prior to the issuance of the first building permit;
- (vi) a cash contribution of \$175,000.00 to the City for improvements to existing community centres, to be broken down as follows:
  - (a) \$100,00.00 for internal improvements to the Main Square Community Centre;
  - (b) \$25,000.00 for landscape improvements to the Main Square Community Centre;

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- (c) \$25,000.00 for the purchase of equipment for the Main Square Community Centre; and
  - (d) \$25,000.00 for the purchase of equipment for the Secord Community Centre.”
- (3) amend Attachment 10 (Draft Zoning By-law Amendment) of the report dated November 1, 2004 from the Director, Community Planning, South District as follows:
- (i) delete Section 1(d) and replace it with the following:
    - “(d) at least 600 square metres of indoor amenity space is provided for the development;”
  - (ii) delete Section 1(j) and replace it with the following:
    - “(j) the Owner of the lot at its expense and in accordance with and subject to the agreement pursuant to Section 37 of the *Planning Act* referred to in this By-law enters into an agreement pursuant to Section 37 of the *Planning Act* to secure the following facilities, services and matters:
      - (i) the provision of a new non-profit daycare facility for a minimum of 65 children, including both indoor and outdoor space;
      - (ii) maintain the 1,080 existing rental units and the 43 rental units under construction through conversions in Buildings A, B, C and D as rental for a minimum period of 25 years, making no application for condominium construction or for demolition to construct anything other than rental dwelling units; if the tax rate were to increase such that the owner is paying more tax than they would if the rental units were registered as a condominium, the owner will have the right to apply for an Official Plan Amendment and zoning by-law amendment removing the requirement for the designated rental units to be maintained as rental units prior to the expiry of this 25-year period, provided that all of the rental dwelling units remain as rental dwelling units until the owner obtains approval for an Official Plan Amendment and zoning by-law

amendment removing the requirement that the owner provide and maintain the designated dwelling units as rental dwelling units;"

(iii) improvements to the 4 existing rental buildings (A, B, C and D) at least as follows with no cost pass through in rents to the tenants:

(a) refurbishing of the lobby entrances of Buildings B and C;

(b) a minimum of 150 square metres of amenity space shall be provided in the existing buildings, and to the extent possible throughout all 4 buildings, primarily for the benefit of their tenants; and

(c) the provision of new loading spaces adjacent to the 4 existing buildings;

(iv) provide and maintain up to two additional rental apartment buildings as rental for at least 25 years commencing from the date of initial occupancy of each unit subject to the following:

(a) no application shall be made for condominium conversion or for demolition to construct anything other than rental dwelling units during the 25-year period; if the tax rate were to increase such that the owner is paying more tax than they would if the rental units were registered as a condominium, the owner will have the right to apply for an Official Plan Amendment and zoning by-law amendment removing the requirement for the designated rental units to be maintained as rental units prior to the expiry of this 25-year period, provided that all of the rental dwelling units remain as rental dwelling units until the owner obtains approval for an Official Plan Amendment and zoning by-law amendment removing the requirement that the owner provide and maintain the designated dwelling units as rental dwelling units;

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- (b) as mid-range rental units, the initial rents and the rents upon turnover for all the new dwelling units during the first 5 years of the buildings' occupancy shall be below 1.5 times the average rents by unit type for the City of Toronto as reported by Canada Mortgage and Housing Corporation in their most recent annual Rental Market Survey Report;
- (c) annual increases to tenants who occupy the units in the initial 5 year period shall not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, for as long as the tenant remains in the same unit;
- (d) rents charged to tenants newly occupying the units after the completion of the 5 year period set forth in (b) will not be subject to restriction from the City of Toronto under the terms of the Section 37 Agreement;
- (v) the owner shall provide a Construction Mitigation and Tenant Communication Plan to the satisfaction of the Director, Community Planning, South District, prior to the issuance of the first building permit;
- (vi) a cash contribution of \$175,000.00 to the City for improvements to existing community centres, to be broken down as follows:
  - (a) \$100,00.00 for internal improvements to the Main Square Community Centre;
  - (b) \$25,000.00 for landscape improvements to the Main Square Community Centre;
  - (c) \$25,000.00 for the purchase of equipment for the Main Square Community Centre; and

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(d) \$25,000.00 for the purchase of equipment for the Secord Community Centre.”

(4) That Recommendations 5, 6, 7, 8, 11, 12 and 16, of the report dated November 1, 2004, be amended to delete the words “before introducing the necessary Bills to City Council” or “prior to the introduction of Bills to City Council for enactment” and substituting the words “prior to the issuance of Site Plan Approval”;

- Communication (November 14, 2004) from Diana Richter;
- Communication (November 15, 2004) from Theresa Bowers, President, Main Square Tenants’ Association;
- Communication (November 15, 2004) from Mary Campbell, President and Archivist, The Beach and East Toronto Historical Society;
- Communication (November 3, 2004) from Walter Sentk;
- Communication (November 16, 2004) from Donna Braniff;
- Communication (November 9, 2004) from Christian Taylor, Talisker, applicant;
- Communication (undated) from June Hall; and
- Communication (November 16, 2004) from Signe Leisk, Cassels, Brock and Blackwell LLP.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act*.

The following appeared before the Toronto and East York Community Council:

- June Hall; and
- Craig Hunter, Armstrong Goldberg Hunter, applicant.

On motion by Councillor Bussin, the Toronto and East York Community Council recommended that:

- (1) the report (November 1, 2004) from the Director, Community Planning, South District be adopted subject to:
  - (a) amendment by the further report (November 15, 2004) from the Acting Director, Community Planning, South District, as amended by:

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- (i) amending Recommendation (3)(i) of the report (November 15, 2004) from the Acting Director, Community Planning, South District to read as follows:
  - “(3)(i) delete Section 1(d) and replace it with the following:
    - “(d) the pre-existing community centre shall be demolished to permit landscaping improvements and at least 600 square metres of indoor amenity space shall be provided for the development”
- (b) amending the references in the report to a 25 year period in respect to the rental housing issues to reflect a 20 year period;
- (2) direct the Commissioner of Economic Development, Culture and Tourism to allocate the portion of the cash-in-lieu of parkland funds allocated to local improvements directly to the Main Square Community Centre;
- (3) as a condition of City Council approval of the proposed development, impose the following conditions of approval on the owner of 2565 and 2625 Danforth Avenue;
  - (a) the owner shall immediately address the existing garbage storage area by the provision of adequate screening of the area that will reduce both the visual impact and the odour coming from the existing garbage area;
  - (b) approval of the development be conditional upon the new building to be located at the south-east corner of the site being built as the first phase of the development, with the building at the north-west corner being the second phase; and
  - (c) should the construction of the first phase of the development not commence within 7 years of the coming into force of the by-laws to enact the Official Plan Amendment and Zoning By-law Amendment, the owner shall provide a \$1,000,000 payment to the City for the provision of daycare spaces within the immediate vicinity of the property

**(Report 9, Clause 6)**

**10.8 Final 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 and East York Community Council had before it a final report (October 27, 2004) from the Director, Community Planning, South District, respecting Application to

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Amend the Official Plan and Zoning By-law – 50 and 56 Gerrard Street East and 380 Church Street, and recommending that City Council:

- (1) 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) amend Zoning By-law 438-86, as amended, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8;
- (3) 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) require that, before introducing the necessary Bills to City Council for enactment, the owner 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 and that such agreements be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters
  - (a) a contribution of \$30,000.00 for Allan Gardens, prior the issuance of an above grade building permit for any development on the lot;
  - (b) provisions requiring the owner to, for a period of not less than 20 years, replace on the lot and secure as rental housing not less than 27 replacement rental units;
  - (c) provisions requiring the owner to maintain the 27 replacement rental units at affordable rents for a period of not less than 10 years;
  - (d) provision of a tenant relocation and assistance package;
  - (e) agreement not to erect third party advertising signage on the building's elevations at any time;
  - (f) submission of the following reports for review and acceptance by the Commissioner of Works and Emergency Services, prior to Site Plan Approval:
    - (i) a Site Servicing Review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate; and

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- (ii) a Street Lighting Review to determine the adequacy of the existing street lighting, including the impact of relocating the light standard situated within the limits of the Church Street site access, and identify any improvements that may be required;
  - (g) provisions requiring the owner to pay for any improvements / upgrades to the municipal infrastructure and municipal lighting, should it be determined that improvements / upgrades are required to support the development, according to the reports identified in Recommendation 4(f) as reviewed and accepted by the Commissioner of Works and Emergency Services; and
  - (h) provisions requiring the owner to install, at their expense, an irrigation system with automatic timer, to the satisfaction of the Commissioner of Works and Emergency Services when three or more trees are planted in a City right-of-way, and ensure that the irrigation system is designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer including requirements to maintain in good order and operation;
- (5) require the owner to fully document the existing apartment building at 50 Gerrard Street East and submit such documentation to the satisfaction of the Manager, Heritage Preservation Services, prior to Site Plan Approval; and
- (6) authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

The Toronto and East York Community Council also had before it a communication (November 9, 2004) from Dan Flanagan and Stephen Calnen.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act*.

The following appeared before the Toronto and East York Community Council:

- June Hall; and
- Craig Hunter, Armstrong Goldberg Hunter, applicant.

On motion by Councillor Bussin, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 27, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 7)**



**10.9 Revised Final Report – Application to Amend the Official Plan and Zoning By-law – 450, 470 and 500 Lakeshore Boulevard West (Trinity-Spadina, Ward 20)**

The Toronto and East York Community Council had before it a revised final report (November 1, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and Zoning By-law – 450, 470 and 500 Lakeshore Boulevard West, and recommending that City Council:

- (1) replace the August 16, 2004 Final Report for 450, 470 and 500 Lake Shore Boulevard West prepared by the Director of Community Planning, South District with this revised final report;
- (2) amend the Official Plan for the (former) City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7;
- (3) 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. 8;
- (4) 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;
- (5) prior to the introduction of the necessary Bills to Council for enactment, require the owner to enter into agreements pursuant to Section 37 of the *Planning Act*, and any other agreement required to implement and secure matters outlined in this report, satisfactory to the City Solicitor, such agreements should be registered on title and should include the following:
  - (i) an affordable housing contribution of \$200,000;
  - (ii) a contribution of 1 per cent of the gross construction cost of the project for the provision of public art;
  - (iii) the implementation of the Phasing Plan;
  - (iv) the design and construction of Housey Street, Dan Leckie Way (between Lake Shore Boulevard West and Bremner Boulevard), and Fort Street (between Bremner Boulevard and Housey Street) in accordance with the accepted engineering drawings and City standards and specifications and in accordance with approved cost-sharing provisions, if any;
  - (v) conveyance of the lands for public highway purposes, at nominal cost, including any required lands for intersection improvements to

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accommodate the installation of traffic control traffic signals at the Lake Shore Boulevard/Dan Leckie Way intersection, with such conveyance to be made prior to any site plan approval for the blocks, or when required by the Commissioner of Works and Emergency Services to implement the Phasing Plan;The implementation of the Phasing Plan;

- (vi) financial contribution towards the design and construction costs of Bremner Boulevard;
- (vii) payment of 50% of the cost to design and implement traffic control signals and intersection improvements at the Dan Leckie Way/Lake Shore Boulevard West intersection, prior to site plan approval of any of the blocks;
- (viii) financial reimbursement to any other landowner in the Railway Lands West for the costs incurred by such landowner for the design and construction of Dan Leckie Way (south of the proposed Bremner Boulevard to Lake Shore Boulevard West) in the event that this section of Dan Leckie Way is constructed by another landowner prior to this development proceeding;
- (ix) “pre-build” mechanisms to permit the Owner to assume the responsibilities of the other landowner in the Railway Lands West for the construction of the roads and municipal services in the event this development proceeds prior to the construction of such roads and services required to be constructed by the other landowner;
- (x) retention of a qualified municipal consulting engineer to carry out and certify all necessary engineering design and inspection works required for the provision and construction of the new roads and associated municipal services and utilities;
- (xi) submission of all reports (e.g. stormwater, geotechnical, construction management plan, environmental site assessment, soil and groundwater, remediation, etc.), drawings, legal plans, calculations, and certifications deemed necessary by the Commissioner of Works and Emergency Services for review and acceptance;
- (xii) payment(s) to the City for its costs of retaining a consultant to undertake a peer review of all soil and groundwater remediation report, environmental site assessment reports, etc., that are required to be submitted by the Owner to the Commissioner of Works and Emergency Services, as it relates to the public roads that are to be conveyed to the City for public highway purposes and the development of the site, to ensure that the

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report(s) and its recommendations have been prepared in accordance with all current and applicable Ministry of the Environment guidelines;

- (xiii) remediation of the lands to be constructed and conveyed for public highway purposes in a manner satisfactory to the Commissioner of Works and Emergency Services; and
  - (xiv) receipt of and/or submission of all permits, letters of credit, proof of insurance, fees, applicable Certificate of Approvals from the Ministry of the Environment, engineering drawings, easement documents, and any other documentation deemed necessary by the Commissioner of Works and Emergency Services for acceptance prior to commencing construction of the new roads and its associated municipal services;
- (6) confirm that the Owner, as a condition of approval of future site plan application(s), will be required, among other things, to fulfill the conditions set out in Attachment 6 to the satisfaction of the Commissioner of Works and Emergency Services;
  - (7) prior to the introduction of the necessary Bills to Council for enactment, require the owner to enter into a Heritage Easement Agreement for Block 8 (the "Loblaw Groceteria Company Building") to the satisfaction of the City Solicitor and the Commissioner of Economic Development, Culture and Tourism;
  - (8) prior to the introduction of the necessary Bills to Council for enactment, require the owner to provide a satisfactory infrastructure phasing plan including financial commitments, to the satisfaction of the City Solicitor, in consultation with the Commissioners of Works and Emergency Services and Urban Development Services;
  - (9) confirm that this application is not subject to cash in lieu for parkland as per the Land Exchange Agreement between the City and Wittington dated July 5, 1995;
  - (10) authorize the execution of the Section 37 agreement and any other agreements required to secure matters outlined in this report;
  - (11) direct the Commissioner of Urban Development Services, in consultation with the Chief Financial Officer, report directly to Toronto and East York Community Council and, if necessary, to City Council regarding the application of Development Charges to these lands;
  - (12) authorize and direct the City Solicitor to take the necessary action with respect to the deferrals before the Ontario Municipal Board (OMB) in connection with Blocks 8, 9 and 10 of the Fort York Neighbourhood Part II Plan and Fort York

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Neighbourhood Secondary Plan, consistent with the approvals contemplated in this report;

- (13) request the applicant to withdraw its appeal of the Central Waterfront Secondary Plan and the new Official Plan for the City of Toronto;
- (14) authorize and direct the City Solicitor to amend the new Fort York Secondary Plan consistent with the amendments to the Fort York Part II Plan as set out in Attachment 7;
- (15) the Owner shall, at their own expense, install an irrigation system with automatic timer, to the satisfaction of the Commissioner of Works and Emergency Services, and ensure that the irrigation system be designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA), and constructed with a back flow preventer including the requirements to maintain in good order and operation;
- (16) prior to the introduction of the necessary Bills to Council for enactment, require the Solicitor for the owner to submit a letter to the City Solicitor confirming that the Official Plan amendments contemplated in this report address the reasons for the deferrals of the Fort York Neighbourhood Part II Plan and Secondary Plans respectively, which deferrals are currently before the OMB; and
- (17) authorize City officials to take all necessary action to implement and give effect to Council's intentions as outlined in this report.

The Toronto and East York Community council also had before it the following:

- Report (August 16, 2004) from the Director, Community Planning, South District, recommending that City Council:
  - (1) 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) 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. 6;
  - (3) 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) prior to the introduction of the necessary Bills to Council for enactment, authorize the City Solicitor and require the owner to enter into agreements pursuant to Section 37 of the *Planning Act*, and any other agreement

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required to implement and secure matters outlined in this report, satisfactory to the City Solicitor, and to register this agreement on title, including the following:

- (i) an affordable housing contribution of \$200,000;
- (ii) a contribution of 1 per cent of the gross construction cost of the project for the provision of public art;
- (iii) the implementation of the Phasing Plan;
- (iv) the design and construction of Housey Street, Dan Leckie Way (between Lake Shore Boulevard West and Bremner Boulevard), and Fort Street (between Bremner Boulevard and Housey Street) in accordance with the accepted engineering drawings and City standards and specifications and in accordance with approved cost-sharing provisions, if any;
- (v) conveyance of the lands for public highway purposes, at nominal cost, including any required lands for intersection improvements to accommodate the installation of traffic control traffic signals at the Lake Shore Boulevard/Dan Leckie Way intersection, with such conveyance to be made prior to any site plan approval for the blocks, or when required by the Commissioner of Works and Emergency Services to implement the Phasing Plan; The implementation of the Phasing Plan;
- (vi) financial contribution towards the design and construction costs of Bremner Boulevard;
- (vii) payment of 50% of the cost to design and implement traffic control signals and intersection improvements at the Dan Leckie Way/Lake Shore Boulevard West intersection, prior to site plan approval of any of the blocks;
- (viii) financial reimbursement to the other landowner in the Railway Lands West for the costs incurred by that landowner for the design and construction of Dan Leckie Way (south of the proposed Bremner Boulevard to Lake Shore Boulevard West) in the event that this section of Dan Leckie Way is constructed by that landowner prior to this development proceeding;
- (ix) “pre-build” mechanisms to permit the Owner to assume the responsibilities of the other landowner in the Railway Lands West for the construction of the roads and municipal services in the

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event this development proceeds prior to the construction of such roads and services required to be constructed by the other landowner;

- (xi) retention of a qualified municipal consulting engineer to carry out and certify all necessary engineering design and inspection works required for the provision and construction of the new roads and associated municipal services and utilities;
- (xii) submission of all reports (e.g. stormwater, geotechnical, construction management plan, environmental site assessment, soil and groundwater, remediation, etc.), drawings, legal plans, calculations, and certifications deemed necessary by the Commissioner of Works and Emergency Services for review and acceptance;
- (xiii) payment(s) to the City for its costs of retaining a consultant to undertake a peer review of all soil and groundwater remediation report, environmental site assessment reports, etc., that are required to be submitted by the Owner to the Commissioner of Works and Emergency Services, as it relates to the public roads that are to be conveyed to the City for public highway purposes and the development of the site, to ensure that the report(s) and its recommendations have been prepared in accordance with all current and applicable Ministry of the Environment guidelines;
- (xiv) remediation of the lands to be constructed and conveyed for public highway purposes in a manner satisfactory to the Commissioner of Works and Emergency Services;
- (xv) receipt of and/or submission of all permits, letters of credit, proof of insurance, fees, applicable Certificate of Approvals from the Ministry of the Environment, engineering drawings, easement documents, and any other documentation deemed necessary by the Commissioner of Works and Emergency Services for acceptance prior to commencing construction of the new roads and its associated municipal services;
- (xvi) repairs to any damages to any existing City infrastructure caused during the construction of the roads and the associated municipal services to the satisfaction of the Commissioner of Works and Emergency Services;
- (xvii) submission of all progress reports at the request of the Commissioner of Works and Emergency Services;

- (xviii) access by the Commissioner of Works and Emergency Services or his designate to the site to inspect the construction of the new roads and the associated municipal services and utilities;
  - (xix) repairs to the roads and the municipal services that have been deemed by the Commissioner of Works and Emergency Services as not having been constructed properly;
  - (xx) submission of Completion Certificates in a format and with wording satisfactory to the Commissioner of Works and Emergency Services;
  - (xxi) compliance with standard City conditions relating to the acceptance of the works, guarantee of works and assumption of works as they relate to the construction of the roads and associated municipal services and utilities;
  - (xxii) provision for winter maintenance for the roads, until its acceptance and/or assumption by the City, to the satisfaction of the Commissioner of Works and Emergency Services;
  - (xxiii) installation of all temporary street signs as determined by the Commissioner of Works and Emergency Services;
  - (xxiv) compliance with standard City conditions relating to the Construction Lien Act as it relates to the construction of the new roads and associated municipal services;
  - (xxv) upgrades to be undertaken to the CN Plaza pumping station and costs associated with such upgrades to accommodate the increase in sanitary flows expected to be generated as a result of the requested amendments to the zoning by-law and transfer of density;
- (5) that the Owner, as a condition of approval of future site plan application(s), will be required to, among other things:
- (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;
  - (b) provide and maintain in connection with City waste collection for the residential components of the development, sufficient Type G

loading spaces to be determined as part of the site plan application review process for each block, with generally level surfaces;

- (c) design the Type G loading spaces and all driveways and passageways providing access thereto to the requirements of the Ontario Building Code, including allowance for City of Toronto bulk lift and rear bin vehicle loading with impact factors where they are to be built as supported structures;
- (d) provide and maintain for the residential component in each of the development blocks, separate garbage and recycling storage rooms and install and maintain a stationary compactor in each of the garbage rooms, the sizes of which will be determined during the site plan application review process, or alternatively, combined garbage/recycling rooms, equipped with automated recycling and waste systems (i.e. tri-sorter type). If automated recycling waste systems are not being installed, convenient storage space for recycling materials must be provided on each floor of the buildings for collection by building maintenance staff;
- (e) install and maintain double or overhead doors of a width necessary to accommodate the movement of container bins between the garbage and recycling storage rooms in each of the blocks and the Type G loading spaces;
- (f) provide and maintain level corridors between the storage rooms in each of the blocks, the Type G loading spaces and the collection pads of a width necessary to accommodate the passage of container bins for collection;
- (g) provide and maintain service connections between each residential garbage and recycling storage rooms in each of the blocks, each retail store/office established and the Type G loading spaces;
- (h) provide and maintain concrete storage collection pads immediately fronting the loading spaces in each of the blocks, with maximum slopes of 2%, the sizes of which will be determined during the site plan application review process;
- (i) show on the plans the route that City waste collection vehicles will travel on site for each of the blocks including the route used for the transferring of the bins to the collection pad and the path the townhouse residents will use to dispose of the refuse materials;



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- (j) provide trained staff-members for each of the buildings to transfer the bins from the residential garbage and recycling storage rooms and be present at all times during City refuse collection to manoeuvre the containers onto the waste collection vehicle and act as flagpersons when the vehicle is reversing;
- (k) provide and maintain for the retail/office components of this development in each of the blocks:
  - (i) private refuse collection services;
  - (ii) dedicated, separate or combined garbage and recycling storage rooms of sufficient width that individually or collectively accommodate the refuse generated by the non-residential components;
  - (iii) doors and corridors leading from the rear of each unit to the garbage and recycling storage rooms;
  - (iv) separate collection pads of sufficient width to accommodate the bins on collection day or, if the residential collection pad is shared, that additional space is provided to accommodate those bins;
  - (v) if the residential collection pad is shared, the containers are to be properly labeled (painted or stenciled lettering ranging 0.15 to 0.20 m in height) to indicate for "Retail/Office Use Only" and collection is to be done on alternate days from that of City collection;
- (l) agree to advise all tenants/Owners, in writing and in their deeds/leases, of the refuse collection arrangements for the retail/office and residential components;
- (m) apply to the Commissioner of Works and Emergency Services, prior to filing an application for a building permit, for revised municipal numbering;
- (n) submit to the Commissioner of Works and Emergency Services for review and acceptance, prior to the issuance of a below-grade building permit, a report respecting the existing Bathurst Street bridge, the F. G. Gardiner Expressway and the 750 mm x 1500 mm storm sewer which demonstrates that these structures are not adversely impacted. The report is to outline the details of the proposed design(s) for the buildings(s) and underground parking

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structures, proposed clearances between the building(s) and parking structure and the Bathurst Street and F. G. Gardiner Expressway structures and between the building(s) and parking structure and the existing 750 mm x 1500 mm storm sewer, excavation, shoring, de-watering and construction procedures, and backfill materials to be used, as noted in the body of this memorandum;

- (o) submit in conjunction with an application for a building permit, plans and documentation, detailing how each of the development blocks will be constructed in accordance with the Ontario Building Code relating to the provisions of fire fighting, as discussed in the body of this report;
  - (p) submit to the Commissioner Works and Emergency Services, for review and acceptance, prior to the issuance of an above-grade building permit:
    - (i) grading and servicing plans to show existing and proposed service connections, existing and proposed elevations within the site and at property lines, overland flow routes, and fire access routes and dimensions; and
    - (ii) a stormwater management report to indicate how stormwater is proposed to be managed
  - (6) prior to the introduction of the necessary Bills to Council for enactment, require the owner to enter into a Heritage Easement Agreement for Block 8 (the “Loblaw Groceteria Company Building”) to the satisfaction of the City Solicitor and the Commissioner of Economic Development, Culture and Tourism;
  - (7) prior to the introduction of the necessary Bills to Council for enactment, require the owner to provide a satisfactory infrastructure phasing plan including financial commitments, to the satisfaction of the City Solicitor, in consultation with the Commissioners of Works and Emergency Services and Urban Development Services; and
  - (8) authorize the execution of a Section 37 agreement, and any other agreement required, to secure the matter outlined in this report in connection with the proposed development;
- Communication (September 10, 2004) from Lise Corriveau;
  - Communication (June 15, 2004) from Deborah Alexander;

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- Communication (November 8, 2004) from Jos and Daisy Simonetti;
- Communication (November 5, 2004) from Yoshiaki Taneichi and Fumie Wada;
- Communication (November 12, 2004) from Sandra Laricciosa; and
- Communication (November 15, 2004) from Victoria Snook.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004, which was a continuation of the statutory public meeting that began on September 14, 2004.

The following appeared before the Toronto and East York Community Council:

- Brian Curtner, Quadrangle Architects, on behalf of the applicant;
- Mark Noskiewicz, Goodmans LLP;
- Ane Christensen;
- Brett Hodge; and
- Debbie Alexander.

On motion by Councillor Chow, the Toronto and East York Community Council recommended that City Council:

- (1) not adopt the staff recommendations to amend the Official Plan and Zoning By-law for 450, 470 and 500 Lakeshore Boulevard West in the Recommendations Section of the report (November 1, 2004) from the Director, Community Planning, South District;
- (2) support, in principle, the changing of the permitted use of this site from industrial to residential;
- (3) direct the Commissioner of Urban Development Services, together with appropriate staff, area residents and the Ward Councillor, to work on a built form that is consistent with the existing official plan and that does not include the heights proposed by the applicant, or a transfer of density from Block 8 to Block 9/10; and
- (4) if the applicant appeals to the Ontario Municipal Board, authorize the City Solicitor, and other appropriate staff, to attend the Hearing to defend City Council's position.

**(Report 9, Clause 8)**

**10.10 Final Report – Application to Amend the Official Plan and Zoning By-law – 40 The Esplanade (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a final report (November 1, 2004) from the Director, Community Planning, South District, respecting Application to Amend the Official Plan and Zoning By-law – 40 The Esplanade, and recommending that City Council:

- (1) 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) 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 with the revision that a minimum setback of 1.5 metre be provided at The Esplanade for the southeast corner of the west tower;
- (3) 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) 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 for the development to secure the following facilities, services, and matters:
  - (a) a contribution in the amount of \$700,000 as directed by the Commissioners of Urban Development Services and Economic Development, Culture and Tourism towards the creation of a municipal park on the lands bordered by The Esplanade, Market Street, Wilton Street and Jarvis Street;
  - (b) a contribution in the amount of \$50,000 as directed by the Commissioners of Urban Development Services and Economic Development, Culture and Tourism towards streetscape improvements on the east side of Scott Street between Scott Lane and Front Street including weather protection along the west wall of the St. Lawrence Centre for the Arts;
  - (c) a contribution in the amount of \$50,000.00 as directed by the Commissioners of Urban Development Services and Economic Development, Culture and Tourism towards the establishment of a senior's centre in the St. Lawrence neighbourhood;

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- (d) a public art contribution in accordance with the City of Toronto's public art program for a value not less than one percent of the construction cost of all buildings and structures on the lands;
  - (e) the payment of costs related to the improvements to the municipal lighting required to support this development, as directed by the Commissioner of Works and Emergency Services;
  - (f) the submission to the Commissioner of Works and Emergency Services, for review and acceptance, of a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstration of how this site can be serviced and whether the existing municipal infrastructure is adequate;
  - (g) the payment for any improvements to the municipal infrastructure in connection with the site servicing review, should it be determined that upgrades are required to the infrastructure to support this development, according to the site servicing review accepted by the Commissioner of Works and Emergency Services;
  - (h) improvement of The Esplanade and Scott Street rights-of-way abutting the site, including streetscaping and tree installation, to City standards, to the satisfaction of the Commissioners of Urban Development Services, Works and Emergency Services and Economic Development, Culture and Tourism;
  - (i) the provision of an irrigation system at the owners expense for all street trees in the public right-of-way with automatic timer at the owner'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;
  - (j) the phasing of development of the lands and the timing of the contributions set out above in a manner satisfactory to the Commissioner of Urban Development Services; and
  - (k) architectural design and exterior materials satisfactory to the Commissioner of Urban Development Services;
- (5) direct the Commissioner of the Economic Development, Culture and Tourism Department to:
- (a) form an implementation group for the proposed park on the south side of St. Lawrence market consisting of staff from the Urban Development

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Services Department, Economic Development, Culture and Tourism Department, Toronto Parking Authority, and Corporate Services Department; and

- (b) undertake a community consultation process for the proposed park design;
- (6) direct the Commissioner of the Urban Development Services Department to develop urban design guidelines for the West St. Lawrence neighbourhood, which is bounded by King Street East, Jarvis Street, Yonge Street and the railway, and consult with the St. Lawrence Neighbourhood Business Improvement Area, St. Lawrence Neighbourhood Association, and representatives of landowners, and report back to the Toronto and East York Community Council in the second quarter of 2005;
- (7) direct the Commissioner of the Urban Development Services Department to consult with representatives of the St. Lawrence Neighbourhood Association, the St. Lawrence Neighbourhood Business Improvement Area, the St. Lawrence Centre for the Arts, Hummingbird Centre, the owners of 56 and 70 The Esplanade, and the condominium board for 25 The Esplanade, and review the site plan application for 40 The Esplanade with the applicant;
- (8) direct that the site plan application for 40 The Esplanade not be subject to the delegated authority by Council but rather be reviewed by the Toronto and East York Community Council and City Council for its consideration;
- (9) direct City Planning staff to address the LEED certification, green roof technology and rooftop landscaping that can be applied at the time of site plan approval;
- (10) request the applicant to investigate the feasibility of connecting the building to the Enwave District Heating and Cooling System; and
- (11) instruct the City Solicitor and planning staff to appear at the Ontario Municipal Board hearing in support of the revised proposal as outlined in this report.

The Toronto and East York Community Council also had before it the following:

- Communication (October 27, 2004) from Shaun Pearen;
- Communication (October 28, 2004) from James Huff;
- Communication (October 18, 2004) from Dr. James Harbeck and Aina Arro;
- Communication (November 12, 2004) from Ane Christensen, President, Harbourfront Community Association;

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- Communication (November 12, 2004) from Stig Harvor;
- Communication (November 15, 2004) from Lorraine Greey, President, Greey Esplanade Limited;
- Communication (November 15, 2004) from Michael de Pencier, Kay Publishers Company Limited;
- Communication (November 15, 2004) from David Macfarlane;
- Communication (November 15, 2004) from Leslie Lawlor;
- Communication (November 15, 2004) from Monte-Hyde;
- Communication (November 15, 2004) from D. Wallett, Music Toronto;
- Communication (March 31, 2002) from Edward Nixon, Executive Director, SEDERI;
- Communication (November 16, 2004) from Stig Harvor; and
- Communication (undated) from Sybil Wa.

The Toronto and East York Community Council held a statutory public meeting on November 16, 2004 and notice was given in accordance with the *Planning Act*.

The following appeared before the Toronto and East York Community Council:

- Michael Comstock, St. Lawrence Market Neighbourhood BIA;
- Connie Yang;
- Lorraine Greey, President, Greey Esplanade Limited;
- Edward Nixon, Executive Director, South East Downtown Economic Redevelopment Initiative (SEDERI);
- Hugh Francis Burns, St. Lawrence Neighborhood Association;
- Dennis Glasgow;
- Marcus Little;
- Stig Harvor;
- David Wallett, General Manager, St. Lawrence Centre for the Arts;
- Kenneth Smookler;
- Ane Christensen, Harbourfront Community Association;
- Dwight Peters;
- Joan Campbell;
- Sheldon Godfrey;
- Cameron Miller, President, St. Lawrence Neighbourhood Association;

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- Ronny Yaron;
- Paul Smith, President, St. Lawrence Condominium Ratepayers' Association;
- John Sewell;
- Peter Hnatiw, President, Esplanade Restaurants;
- Patrick Devine, Goodman and Carr LLP;
- R. Varacalli, Burka Varacalli Architects; and
- Paulo Stellato, Cityzen Development Group.

On motion by Councillor McConnell, the Toronto and East York Community Council requested the Commissioner of Urban Development Services to submit a supplementary report to City Council for its meeting on November 30, 2004 adding the following requirements:

- (a) that the western tower setback be a minimum of 5 metres from the south (Esplanade) property line;
- (b) that there be no shadowing on Berczy Park between March 21st and September 21st; and
- (c) that City staff further explore the feasibility of a setback of the podium from the eastern side of the property.

On further motion by Councillor McConnell, the Toronto and East York Community Council also submitted the report (November 1, 2004) from the Director, Community Planning, South District and the following proposed amendments, to City Council without recommendation:

- “(1) the Commissioner of Urban Development Services be requested to reduce the residential parking requirements in the site specific by-law from the condominium guidelines to zoning by-law requirements;
- (2) the Commissioner of Economic Development Culture and Tourism be requested to allocate the available cash-in-lieu of parkland funds to the development of Crombie park west of Jarvis Street;
- (3) the Commissioner of Works and Emergency Services be requested to install a TTC shelter at the TTC stop located at the northeast corner of The Esplanade and Scott Street;
- (4) the Chair of the St. Lawrence Neighbourhood Business Improvement Area and/or the Commissioner of Works and Emergency Services be requested to repair street lights abutting 40 The Esplanade at the sole cost of the St. Lawrence Neighbourhood Business Improvement Area;



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- (5) the Commissioner of Works and Emergency Services be requested to undertake a technical review of the bicycle lanes on Yonge Street between Front Street and Queens Quay and on The Esplanade from Yonge Street to Jarvis Street;
- (6) the Commissioner of Works and Emergency Services be requested to undertake a technical review of establishing crosswalks or other pedestrian improvements at the Yonge Street and The Esplanade intersection;
- (7) the Commissioner of Urban Development Services be requested to add the reconstruction of the sidewalk on the west side of Church Street south of The Esplanade to the 2006 Civic Improvement Budget; and
- (8) the applicant be requested to remove the guard rails along The Esplanade and Scott Street abutting 40 The Esplanade and replace with planter boxes, bollards, tire curb stops, wrought iron fencing or other pedestrian friendly streetscape prior to the opening of a sales office, to the satisfaction of the Commissioner of Urban Services.”

(Letter sent to: Commissioner of Urban Development Services – November 19, 2004)

**(Report 9, Clause 9)**

**10.11 Status Report – Site Plan Control Application – 433-437 Roncesvalles Avenue (Parkdale-High Park, Ward 14)**

The Toronto and East York Community Council had before it a status report (October 28, 2004) from the Director, Community Planning, South District, respecting Site Plan Control Application – 433-437 Roncesvalles Avenue, recommending that this report be received for information, and advising that a further report will be submitted to the Toronto and East York Community Council on the site plan control application.

The Toronto and East York Community Council also had before it the following:

- Further Report (November 10, 2004) from the Acting Director, Community Planning, South District reporting on a site plan approval application which has been referred by Councillor Watson to City Council for a decision through the Toronto and East York Community Council, recommending that City Council:
  - (1). approve the proposed 7-storey, 91 unit mixed use building as per the drawings listed below and subject to the following conditions:

Plan No.	Title	Prepared by	Date Received	Stamp
A101	Site Plan and Notes	Quadrangle Architects	October 14, 2004	

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A200	Key Plans	Quadrangle Architects	July 5, 2004
A201	Parking Level 2 Lower	Quadrangle Architects	October 14, 2004
A202	Parking Level 2	Quadrangle Architects	October 14, 2004
A203	Parking Level 1	Quadrangle Architects	October 14, 2004
A204a	Ground Floor Plan (north),	Quadrangle Architects	October 14, 2004
A204b	Ground Floor Plan (south)	Quadrangle Architects	October 14, 2004
A205a	Lower Second Floor Plan (north)	Quadrangle Architects	October 14, 2004
A205b	Lower Second Floor Plan (south)	Quadrangle Architects	October 14, 2004
A206a	Second Floor Plan (north – includes upper second)	Quadrangle Architects	October 14, 2004
A206b	Second Floor Plan (south – includes upper second)	Quadrangle Architects	July 5, 2004
A207a	Third Floor Plan (north)	Quadrangle Architects	July 5, 2004
A207b	Third Floor Plan (south)	Quadrangle Architects	July 5, 2004
A208a	Lower Fourth Floor Plan (north),	Quadrangle Architects	July 5, 2004
A208b	Lower Fourth Floor Plan (south),	Quadrangle Architects	July 5, 2004
A209a	Fourth Floor Plan (north – includes upper fourth)	Quadrangle Architects	July 5, 2004
A209b	Fourth Floor Plan (south – includes upper fourth)	Quadrangle Architects	July 5, 2004
A210a	Fifth Floor Plan (north)	Quadrangle Architects	July 5, 2004
A210b	Fifth Floor Plan (south)	Quadrangle Architects	July 5, 2004
A211a	Sixth Floor Plan (north)	Quadrangle Architects	July 5, 2004
A211b	Sixth Floor Plan (south)	Quadrangle Architects	July 5, 2004
A212a	Seventh Floor Plan (north)	Quadrangle Architects	July 5, 2004
A212b	Seventh Floor Plan	Quadrangle Architects	July 5, 2004

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	(south)		
A213	Mechanical Penthouse Plan and Roof Plan	Quadrangle Architects	July 5, 2004
A401	West Elevation	Quadrangle Architects	July 5, 2004
A402	South Elevation	Quadrangle Architects	October 14, 2004
A403	East Elevation	Quadrangle Architects	July 5, 2004
A404	North Elevation	Quadrangle Architects	July 5, 2004
A451	North-South Building Section	Quadrangle Architects	July 5, 2004
A452	East-West Building Sections	Quadrangle Architects	July 5, 2004
A453	North-South Buildng Section	Quadrangle Architects	July 5, 2004
L1	L1 Landscape Master Plan	NAK Design Group	November 10, 2004
LD1	LD1 Details	NAK Design Group	November 10, 2004
LD2	LD2 Details	NAK Design Group	November 10, 2004

- (a) the proposed development, including all landscaping related thereto, shall be undertaken and maintained substantially in accordance with the plans and drawings referred to above;
- (b) the owner shall designate the residential visitor parking spaces by means of clearly visible signs;
- (c) the owner shall provide and maintain a minimum of 1 Type G loading space, with a generally level surface, on the site to serve the project;
- (d) the owner shall construct all driveways and passageways providing access and egress from the Type G loading space with a minimum width of 3.5 metres (4.0 metres where enclosed), a minimum vertical clearance of 4.3 metres and a minimum inside and outside turning radii of 9 metres and 16 metres, respectively;
- (e) the owner shall provide and designate a trained employee to assist the loading vehicles with back-up manoeuvres into the loading space and onto Ritchie Avenue;
- (f) the owner shall construct the access ramp to the underground parking garage with a slope not exceeding 5% within the first 6 metres of the street line and not exceeding 15% over the remaining portions;

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- (g) the owner shall provide and maintain a minimum 1.5 m by 2.0 m wide opening on both sides of the access ramp at its base to improve sightlines;
- (h) the owner shall provide and maintain appropriate signage at the base of the underground parking garage access ramp, cautioning motorists to be aware of trucks manoeuvring at the top of the ramp;
- (i) the owner shall provide and maintain convex mirrors at the bottom of the access ramp and at the top and bottom of all ramps within the underground parking garage;
- (j) the owner shall pay all costs associated with the relocation of any utility poles required to be moved as a result of this development;
- (k) the owner shall remove any existing curb cuts along Roncesvalles Avenue and Ritchie Avenue that are no longer required and restore the public right-of-way at no cost to the City;
- (l) the owner shall arrange for private collection of waste and recycling materials generated from this site;
- (m) the owner shall submit all environmental site assessment reports (three copies of each) describing the current site conditions and the proposed remedial action plans to the Commissioner of Works and Emergency Services for peer review and acceptance prior to the issuance of a below grade building permit;
- (n) the owner shall pay all costs associated with the City retaining a third-party peer reviewer and submit, prior to the issuance of a below grade building 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;
- (o) the owner shall submit, prior to the issuance of an above-grade building permit, a Statement from a Professional Engineer (sealed and dated), for peer review and concurrence, that based on all necessary supporting environmental reports:
  - (i) the site is suitable for its intended use; and
  - (ii) it is unlikely that there is any off-site contamination, resulting from past land uses on the site, that has migrated from the site to the adjacent rights-of-way, that would

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exceed applicable MOE Guideline objectives or regulations;

- (p) the owner shall enter into an agreement with the City, prior to the issuance of an above-grade building permit, should it be determined that remediation of the adjacent rights-of-way be required, in which the owner, or the party responsible for the contamination, commits to carrying out remedial work acceptable to the City;
- (q) the owner shall submit, prior to occupancy, a Record of Site Condition (RSC) acknowledged by the MOE, to the Commissioner of Works and Emergency Services with respect to the Statement submitted prior to the issuance of the above grade building permit;
- (r) the owner shall conduct an investigation of underground utilities prior to new tree planting within the City road allowance. If planting is not possible due to a utility conflict, a utility locate information sheet from the respective utility company must be provided to the Supervisor of Urban Forestry Planning and Protection;
- (s) the owner shall submit to the Commissioner of Works and Emergency Services, for review and acceptance, a Municipal Lighting Assessment to determine the impact of relocating the existing hydro light pole/light standard located within the limits of the access point to the site; the adequacy of the existing street lighting, and to identify any improvements that may be required;
- (t) the owner shall pay for any improvements to the municipal lighting required to support this development, according to the Municipal Lighting Assessment accepted by the Commissioner of Works and Emergency Services;
- (u) the owner shall plant 15 new trees within the City road allowance as shown on Plan No L1 Landscape Masterplan, date stamped October 29, 2004 to the satisfaction of the Commissioner of Economic Development, Culture and Tourism and in accordance with the following details:

Street Trees in Tree Pits: In accordance with Planting Detail Nos. 103, 103-1, 103-2 & 103-3 for 1.2m x 2.4m Tree Pit, dated March 1997. Tree pits must be constructed in accordance with the Continuous Tree Pit details as shown on Detail series CTP 102 and 103. These details will be shown on plans submitted for Streetscaping permit (Works and Emergency Services);

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- (v) the owner shall ensure a clearance of 1.2 metres from the edge of a tree's root ball to the edge of any underground utility(s). For clearance less than 1.2 metres but greater than or equal to 0.6 metres, a root deflector must be installed in the tree pit between the tree's root ball and the utility(s);
- (w) the owner shall provide a two-year renewable guarantee for all new tree plantings within the City road allowance and shall notify Mark Procnier, Supervisor of Urban Forestry Planning and Protection in writing, of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee;
- (x) the owner shall maintain all new tree plantings within the City road allowance in good condition. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees;
- (y) the owner shall be responsible for the maintenance or replacement of all new tree plantings within the City road allowance if during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement. The owner will be responsible for rectifying the problem as determined by and to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- (z) the owner shall maintain all newly replanted trees within the City road allowance in good condition and shall provide an additional two-year renewable guarantee;
- (aa) prior to the issuance of a Landscape Permit (by Works and Emergency Services, Transportation Services, Right of Way Management), the owner shall provide a tree planting security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto, in the amount of \$8,820.00 (\$588 per tree subject to change) for new tree planting within the City Road allowance. The tree planting security deposit must be submitted to the attention of Mark Procnier, Supervisor of Urban Forestry Planning and Protection. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period. The Commissioner of Economic Development, Culture and Tourism shall hold the tree planting security deposit for the duration of the renewable guarantee period;

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- (bb) the owner shall provide an irrigation system for all street trees in the public right-of-way with automatic timers at the owner'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;
  - (cc) the owner shall apply attenuation measures so that the levels of noise, vibration, electro-magnetic interference and stray current in the proposed development related to transit operations will be at the lowest level technically feasible;
  - (dd) the owner shall inform potential purchasers or lessees, through a clause in the purchase or rental agreement, of the potential for noise, vibration, electro-magnetic interference and stray current, and that the Toronto Transit Commission accepts no responsibility for such effects; and
  - (ee) the owner shall agree, prior to the issuance of any building permit, to enter into an agreement with the Toronto District School Board with respect to signs on site and warning clauses in agreements of purchase and sale; and
- (2) request the applicant to submit a revised landscape plan which is consistent with the site plan drawings, to the satisfaction of the Commissioner of Urban Development Services.
- Communication (November 14, 2004) from Rod Taylor;
  - Communication (November 15, 2004) from Waldemar Andrzej Lis;
  - Communication (November 11, 2004) from Bogdan and Irena Tolscik;
  - Communication (November 15, 2004) from John Bowker, Roncesvalles BIA;
  - Communication (November 15, 2004) from Gordon Cameron;
  - Communication (November 16, 2004) from Gary Cwitco and Fern Valin;
  - Communication (undated) from Doug Carroll;
  - Communication (undated) from Elizabeth Lis;
  - Communication (undated) from Tara O'Donnell;

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- Photographs (undated) from L. B. Korkka;
- Communication (November 16, 2004) from Karen Dalkowski;
- Communication (November 16, 2004) from Sheryl Ross;
- Communication (November 16, 2004) from Paula Boutis;
- Communication (undated) from Gordon Cameron;
- Photographs (September - October, 2004) from Paula Snider; and
- Communication (November 15, 2004) from Irene Atkinson, Toronto District School Board.

The following appeared before the Toronto and East York Community Council:

- Elizabeth Lis, read a communication from Peter Elson, and also made her own deputation;
- Paula Boutis;
- Sheryl R. Ross;
- Lucy Sanford;
- Karen Palkowski;
- Tara O'Donnell;
- Doug Carroll;
- Gordon Cameron, Home and School Association;
- Bruce Woodrow;
- Malcolm Fraser;
- David Hanna;
- Harry Stinson, High Park Lofts Ltd. (Stinson Properties Inc.);
- Lily Korkka;
- Paula Snider;
- Patrick Devine, Goodman and Carr LLP; and
- Phillip Marsland, 59 Management Inc.

On motion by Councillor Watson, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 10, 2004) from the Director, Community Planning, South District, subject to amending Recommendations (1); (1)(j); (1)(m); (1)(t); and (1)(u), and adding additional Recommendations (1)(ff) to (1)(qq), so that the staff recommendations now read:

“It is recommended that City Council:



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- (1). approve the proposed 7-storey, 91 unit mixed use building as per the drawings listed below and subject to the following conditions, which shall be incorporated into the site plan agreement:”

Plan No.	Title	Prepared by	Date Received	Stamp
A101	Site Plan and Notes	Quadrangle Architects	October 14, 2004	
A200	Key Plans	Quadrangle Architects	July 5, 2004	
A201	Parking Level 2 Lower	Quadrangle Architects	October 14, 2004	
A201	Parking Level 2 Lower	Quadrangle Architects	October 14, 2004	
A202	Parking Level 2	Quadrangle Architects	October 14, 2004	
A203	Parking Level 1	Quadrangle Architects	October 14, 2004	
A204a	Ground Floor Plan (north),	Quadrangle Architects	October 14, 2004	
A204b	Ground Floor Plan (south)	Quadrangle Architects	October 14, 2004	
A205a	Lower Second Floor Plan (north)	Quadrangle Architects	October 14, 2004	
A205b	Lower Second Floor Plan (south)	Quadrangle Architects	October 14, 2004	
A206a	Second Floor Plan (north – includes upper second)	Quadrangle Architects	October 14, 2004	
A206b	Second Floor Plan (south – includes upper second)	Quadrangle Architects	July 5, 2004	
A207a	Third Floor Plan (north)	Quadrangle Architects	July 5, 2004	
A207b	Third Floor Plan (south)	Quadrangle Architects	July 5, 2004	
A208a	Lower Fourth Floor Plan (north),	Quadrangle Architects	July 5, 2004	
A208b	Lower Fourth Floor Plan (south),	Quadrangle Architects	July 5, 2004	
A209a	Fourth Floor Plan (north – includes upper fourth)	Quadrangle Architects	July 5, 2004	
A209b	Fourth Floor Plan (south – includes upper fourth)	Quadrangle Architects	July 5, 2004	
A210a	Fifth Floor Plan (north)	Quadrangle Architects	July 5, 2004	

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A210b	Fifth Floor Plan (south)	Quadrangle Architects	July 5, 2004
A211a	Sixth Floor Plan (north)	Quadrangle Architects	July 5, 2004
A211b	Sixth Floor Plan (south)	Quadrangle Architects	July 5, 2004
A212a	Seventh Floor Plan (north)	Quadrangle Architects	July 5, 2004
A212b	Seventh Floor Plan (south)	Quadrangle Architects	July 5, 2004
A213	Mechanical Penthouse Plan and Roof Plan	Quadrangle Architects	July 5, 2004
A401	West Elevation	Quadrangle Architects	July 5, 2004
A402	South Elevation	Quadrangle Architects	October 14, 2004
A403	East Elevation	Quadrangle Architects	July 5, 2004
A404	North Elevation	Quadrangle Architects	July 5, 2004
A451	North-South Building Section	Quadrangle Architects	July 5, 2004
A452	East-West Building Sections	Quadrangle Architects	July 5, 2004
A453	North-South Buildng Section	Quadrangle Architects	July 5, 2004
L1	L1 Landscape Master Plan	NAK Design Group	November 10, 2004
LD1	LD1 Details	NAK Design Group	November 10, 2004
LD2	LD2 Details	NAK Design Group	November 10, 2004

- (a) the proposed development, including all landscaping related thereto, shall be undertaken and maintained substantially in accordance with the plans and drawings referred to above;
- (b) the owner shall designate the residential visitor parking spaces by means of clearly visible signs;
- (c) the owner shall provide and maintain a minimum of 1 Type G loading space, with a generally level surface, on the site to serve the project;
- (d) the owner shall construct all driveways and passageways providing access and egress from the Type G loading space with a minimum width of 3.5 metres (4.0 metres where enclosed), a minimum vertical clearance of 4.3 metres and a minimum inside and outside turning radii of 9 metres and 16 metres, respectively;

- (e) the owner shall provide and designate a trained employee to assist the loading vehicles with back-up manoeuvres into the loading space and onto Ritchie Avenue;
- (f) the owner shall construct the access ramp to the underground parking garage with a slope not exceeding 5% within the first 6 metres of the street line and not exceeding 15% over the remaining portions;
- (g) the owner shall provide and maintain a minimum 1.5 m by 2.0 m wide opening on both sides of the access ramp at its base to improve sightlines;
- (h) the owner shall provide and maintain appropriate signage at the base of the underground parking garage access ramp, cautioning motorists to be aware of trucks manoeuvring at the top of the ramp;
- (i) the owner shall provide and maintain convex mirrors at the bottom of the access ramp and at the top and bottom of all ramps within the underground parking garage;
- (j) the owner shall pay all costs associated with the relocation of any utility poles required to be moved as a result of this development, and any utility poles to be moved shall be located within the frontage of this development;
- (k) the owner shall remove any existing curb cuts along Roncesvalles Avenue and Ritchie Avenue that are no longer required and restore the public right-of-way at no cost to the City;
- (l) the owner shall arrange for private collection of waste and recycling materials generated from this site;
- (m) the owner shall submit all environmental site assessment reports (three copies of each) describing the current conditions and the proposed remedial action plans to the Commissioner of Works and Emergency Services for peer review and acceptance. The peer review and acceptance must be completed before any excavation or building permits are issued;
- (n) the owner shall pay all costs associated with the City retaining a third-party peer reviewer and submit, prior to the issuance of a below grade building 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;
- (o) the owner shall submit, prior to the issuance of an above-grade building permit, a Statement from a Professional Engineer (sealed and dated), for

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peer review and concurrence, that based on all necessary supporting environmental reports:

- (i) the site is suitable for its intended use; and
  - (ii) it is unlikely that there is any off-site contamination, resulting from past land uses on the site, that has migrated from the site to the adjacent rights-of-way, that would exceed applicable MOE Guideline objectives or regulations;
- (p) the owner shall enter into an agreement with the City, prior to the issuance of an above-grade building permit, should it be determined that remediation of the adjacent rights-of-way be required, in which the owner, or the party responsible for the contamination, commits to carrying out remedial work acceptable to the City;
- (q) the owner shall submit, prior to occupancy, a Record of Site Condition (RSC) acknowledged by the MOE, to the Commissioner of Works and Emergency Services with respect to the Statement submitted prior to the issuance of the above grade building permit;
- (r) the owner shall conduct an investigation of underground utilities prior to new tree planting within the City road allowance. If planting is not possible due to a utility conflict, a utility locate information sheet from the respective utility company must be provided to the Supervisor of Urban Forestry Planning and Protection;
- (s) the owner shall submit to the Commissioner of Works and Emergency Services, for review and acceptance, a Municipal Lighting Assessment to determine the impact of relocating the existing hydro light pole/light standard located within the limits of the access point to the site; the adequacy of the existing street lighting, and to identify any improvements that may be required;
- (t) the owner shall pay for any improvements to the municipal lighting required to support this development, according to the Municipal Lighting Assessment accepted by the Commissioner of Works and Emergency Services; and the owner shall provide lampposts on the Roncesvalles frontage of the development which match the lampposts on Roncesvalles Avenue to the south of the development;
- (u) the owner shall plant 15 new trees within the City road allowance as shown on Plan No. L1 Landscape Masterplan, date stamped October 29, 2004 to the satisfaction of the Commissioner of Economic Development, Culture and Tourism and in accordance with the following details, subject to the type and size of trees to be planted will be determined by

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consultation between the owner, the Ward Councillor and the City Arborist;

- (v) the owner shall ensure a clearance of 1.2 metres from the edge of a tree's root ball to the edge of any underground utility(s). For clearance less than 1.2 metres but greater than or equal to 0.6 metres, a root deflector must be installed in the tree pit between the tree's root ball and the utility(ies);
- (w) the owner shall provide a two-year renewable guarantee for all new tree plantings within the City road allowance and shall notify Mark Procnier, Supervisor of Urban Forestry Planning and Protection in writing, of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee;
- (x) the owner shall maintain all new tree plantings within the City road allowance in good condition. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees;
- (y) the owner shall be responsible for the maintenance or replacement of all new tree plantings within the City road allowance if during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement. The owner will be responsible for rectifying the problem as determined by and to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- (z) the owner shall maintain all newly replanted trees within the City road allowance in good condition and shall provide an additional two-year renewable guarantee;
- (aa) prior to the issuance of a Landscape Permit (by Works and Emergency Services, Transportation Services, Right of Way Management), the owner shall provide a tree planting security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto, in the amount of \$8,820.00 (\$588 per tree subject to change) for new tree planting within the City Road allowance. The tree planting security deposit must be submitted to the attention of Mark Procnier, Supervisor of Urban Forestry Planning and Protection. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period. The Commissioner of Economic Development, Culture and Tourism shall hold the tree planting security deposit for the duration of the renewable guarantee period;

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- (bb) the owner shall provide an irrigation system for all street trees in the public right-of-way with automatic timers at the owner'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;
- (cc) the owner shall apply attenuation measures so that the levels of noise, vibration, electro-magnetic interference and stray current in the proposed development related to transit operations will be at the lowest level technically feasible;
- (dd) the owner shall inform potential purchasers or lessees, through a clause in the purchase or rental agreement, of the potential for noise, vibration, electro-magnetic interference and stray current, and that the Toronto Transit Commission accepts no responsibility for such effects;
- (ee) the owner shall agree, prior to the issuance of any building permit, to enter into an agreement with the Toronto District School Board with respect to signs on site and warning clauses in agreements of purchase and sale;
- (ff) the owner shall ensure that the construction traffic to and from the development site will not use any local residential streets except Ritchie Avenue;
- (gg) the garage exhaust fans shall be located at least 10 feet below grade. The garage exhaust system will have a sensing device to detect CO levels which will trigger the operation of the fan;
- (hh) the owner shall include provisions in the sale and condominium documents that any rental of residential units shall be for a period not less than one year;
- (ii) the owner shall include provisions in the condominium documents indicating that snow must be cleared from the public sidewalks so that the right of way is not impeded and if necessary, the snow will be taken off site at the expense of the condominium corporation;
- (jj) there shall be no roof lights installed on the roof of the building;
- (kk) there shall not be any lights directed upward inside the atrium;
- (ll) the common area lights in the atrium shall be at ground level and shall be fitted with automatic dimmers to reduce the level of light to the lowest acceptable for fire and safety purposes after 11:00 p.m.;

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- (mm) the cornerstone of the former church shall be incorporated into the new construction so as to be visible from the street;
  - (nn) throughout the period of construction, the owner shall post an up to date construction schedule on the construction hoarding so as to be clearly visible to members of the community;
  - (oo) prior to the issuance of any below grade or excavation permits, the owner shall, in consultation with the Ward Councillor, obtain and pay for a peer review report assessing whether there is any alternate acceptable construction method for the foundation other than pile driving;
  - (pp) if pile driving is the only acceptable construction method for the site then the following restrictions shall apply during the pile driving phase of construction:
    - (i) the owner will use steel H piles;
    - (ii) the noise level shall not exceed a decibel level of 85 measured over a five minute period 20 metres from the source;
    - (iii) the vibration level shall not exceed a peak particle velocity of 12 mm/second, measured no more than 10 metres from the source of vibration;
    - (iv) there shall be no pile driving on Saturday or Sunday;
    - (v) pile driving shall be undertaken for a maximum of 8 hours per day commencing at 7:30 a.m. and ending at 3:30 p.m.;
    - (vi) the owner shall engage an engineering specialist to monitor noise and vibration levels daily during the pile driving phase and shall provide copies of the engineer's report weekly to the City's Building Department and the Ward Councillor; and
  - (qq) the owner shall obtain a liability insurance policy which covers any damages caused to the neighbouring properties as a result of the construction of the project, irrespective of when such damages become apparent or when such damages manifest themselves, including any time after the construction work has been completed. The owner shall provide documentation from the insurer confirming such coverage; and
- (2) request the applicant to submit a revised landscape plan which is consistent with the site plan drawings, to the satisfaction of the Commissioner of Urban Development Services.

On further motion by Councillor Watson, the Toronto and East York Community Council requested the Medical Officer of Health to report directly to Council, at its meeting to be held on November 30, December 1 and 2, 2004, on whether the proposed location of the garage exhaust vents present a health hazard to occupants of adjacent properties.

(Letter sent to: Medical Officer of Health – November 19, 2004)

**(Report 9, Clause 10)**

**10.12 Inclusion on the City of Toronto Inventory of Heritage Properties - 703 Dovercourt Road (Centennial Japanese Church) (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a report (September 9, 2004) from the Commissioner Economic Development, Culture and Tourism, respecting Inclusion on the City of Toronto Inventory of Heritage Properties - 703 Dovercourt Road (Centennial Japanese Church), and recommending that:

- (1) City Council include the property at 703 Dovercourt Road (Centennial Japanese Church) on the City of Toronto Inventory of Heritage Properties; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it a communication (October 21, 2004) from the Toronto Preservation Board, recommending to the Toronto and East York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor Chow, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (September 9, 2004) from the Commissioner, Economic Development, Culture and Tourism.

**(Report 9, Clause 11)**

**10.13 Inclusion on the City of Toronto Inventory of Heritage Properties – 115 Robert Street (Sussanah Webb House) (Trinity-Spadina, Ward 20)**

**and**



**Residential Demolition Application – 115 Robert Street (Sussanah Webb House)  
(Trinity-Spadina, Ward 20)**

The Toronto and East York Community Council had before it a report (September 9, 2004) from the Commissioner Economic Development, Culture and Tourism, respecting Inclusion on the City of Toronto Inventory of Heritage Properties – 115 Robert Street, and recommending that:

- (1) City Council include the property at 115 Robert Street (Sussanah Webb House) on the City of Toronto Inventory of Heritage Properties; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it the following:

- Report (October 25, 2004) from the Deputy Chief Building Official and Director of Building, South District, respecting Residential Demolition Application – 115 Robert Street, recommending that the Toronto and East York Community Council recommend to Toronto City Council either:
  - (1) to refuse the application to demolish the subject residential building because there is no permit for a replacement building on the site;
  - (2) to approve the application to demolish the subject residential building without conditions; or,
  - (3) to approve the application to demolish the subject residential building with the following condition:
    - (a) that the front façade of 115 Robert Street be preserved and incorporated into the design of the proposed addition at 113 Robert Street to the satisfaction of the Heritage Preservation Services; and
- Communication (October 21, 2004) from the Toronto Preservation Board recommending to the Toronto and East York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor Chow, the Toronto and East York Community Council recommended that City Council:

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- (1) adopt the staff recommendations in the Recommendations Section of the report (September 9, 2004) from the Commissioner, Economic Development, Culture and Tourism, as follows:

“It is recommended that:

- (1) City Council include the property at 115 Robert Street (Sussanah Webb House) on the City of Toronto Inventory of Heritage Properties; and
  - (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”; and
- (2) adopt Recommendation (3) in the Recommendations Section of the report (October 25, 2004) from the Deputy Chief Building Official and Director of Building, South District as follows:

“(3) that City Council approve the application to demolish the subject residential building with the following condition:

- (a) that the front façade of 115 Robert Street be preserved and incorporated into the design of the proposed addition at 113 Robert Street to the satisfaction of the Heritage Preservation Services.”

**(Report 9, Clause 12)**

**10.14 Inclusion on the City of Toronto Inventory of Heritage Properties - 10-12 Ossington Avenue (Dundas Street Library) (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a report (September 7, 2004) from the Commissioner, Economic Development, Culture and Tourism, respecting Inclusion on the City of Toronto Inventory of Heritage Properties - 10-12 Ossington Avenue (Dundas Street Library), and recommending that:

- (1) City Council include the property at 10-12 Ossington Avenue (Dundas Street Library) on the City of Toronto Inventory of Heritage Properties; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it a communication (October 21, 2004) from the Toronto Preservation Board, advising that it deferred consideration of the report (September 7, 2004) from the Commissioner of Economic Development, Culture and Tourism to its November 18, 2004 meeting.

On motion by Councillor Mihevc, the Toronto and East York Community Council deferred consideration of the report (September 7, 2004) from the Commissioner, Economic Development, Culture and Tourism to its next meeting on January 18, 2005.

(Letter sent to: Commissioner of Economic Development, Culture and Tourism; c: Rita Davies, Executive Director of Culture; Toronto Preservation Board; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(b))**

**10.15 Inclusion on the City of Toronto Inventory of Heritage Properties - 120 Ossington Avenue (W.H. Smith Building) (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a Report (September 16, 2004) from the Commissioner, Economic Development, Culture and Tourism, respecting Inclusion on the City of Toronto Inventory of Heritage Properties - 120 Ossington Avenue (W.H. Smith Building), and recommending that:

- (1) City Council include the property at 120 Ossington Avenue (W. H. Smith Building) on the City of Toronto Inventory of Heritage Properties; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it a communication (October 21, 2004) from the Toronto Preservation Board, advising that it deferred consideration of the report (September 16, 2004) from the Commissioner of Economic Development, Culture and Tourism to its November 18, 2004 meeting.

On motion by Councillor Mihevc, the Toronto and East York Community Council deferred consideration of the report (September 16, 2004) from the Commissioner, Economic Development, Culture and Tourism to its next meeting on January 18, 2005.

(Letter sent to: Commissioner of Economic Development, Culture and Tourism; c: Rita Davies, Executive Director of Culture; Toronto Preservation Board; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(c))**

**10.16 Alterations to a Heritage Property and Authority to enter into a Heritage Easement Agreement – 99-113 Maitland Street (National Ballet School) (Toronto Centre-Rosedale, Ward 27)**

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The Toronto and East York Community Council had before it a report (September 27, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Alterations to a Heritage Property and Authority to enter into a Heritage Easement Agreement – 99-113 Maitland Street (National Ballet School), and recommending that:

- (1) the alterations to the heritage property at 99-113 Maitland Street containing the National Ballet School substantially as shown in the plans and drawings prepared by Goldsmith Borgal & Company Ltd. Architects date stamped August 13, 2004 by Urban Development Services, be approved subject to:
  - (a) prior to Site Plan Approval, the Owner will:
    - (i) provide a detailed Landscape Plan to the satisfaction of the Manager, Heritage Preservation Services; and
    - (ii) provide exterior architectural details and building materials to the additions to the satisfaction of the Manager, Heritage Preservation Services;
  - (b) prior to the issuance of any building permits, including permits for demolition, excavation and shoring, the Owner will:
    - (iii) enter into and register on title a Heritage Easement Agreement with the City to provide for the permanent protection of the heritage buildings;
    - (iv) provide Heritage Preservation Services with two (2) copies of the required photographs for inclusion in the Heritage Easement Agreement;
    - (v) provide a Conservation Plan, prepared by a qualified heritage architect, detailing interventions and conservation work to the heritage buildings to the satisfaction of the Manager, Heritage Preservation Services; and
    - (vi) provide financial security in an amount and form satisfactory to the Commissioner of Economic Development, Culture and Tourism, for the protection of the heritage buildings during construction and to implement the Conservation Plan;
- (2) authority be granted by City Council for the execution of a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the owner of 99-113 Maitland Street using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to

such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services; and

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

The Toronto and East York Community Council also had before it a communication (October 21, 2004) from the Toronto Preservation Board advising that it recommended to the Toronto and East York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (September 27, 2004) from the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor Mihevc, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (September 27, 2004) from the Commissioner, Economic Development, Culture and Tourism.

**(Report 9, Clause 13)**

**10.17 Intention to Designate under Part IV of the *Ontario Heritage Act* – 6 Howard Street (James Chalmers Building) (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a report (September 24, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Intention to Designate under Part IV of the *Ontario Heritage Act* – 6 Howard Street (James Chalmers Building), and recommending that:

- (1) Council state its intention to designate the property at 6 Howard Street (James Chalmers Building) under Part IV of the *Ontario Heritage Act*;
- (2) if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the *Ontario Heritage Act*;
- (3) if there are any objections in accordance with Section 29(7) of the *Ontario Heritage Act*, the Clerk be directed to refer the proposed designation to the Conservation Review Board; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it a communication (October 21, 2004) from the Toronto Preservation Board, recommending to the Toronto and East York Community Council that City Council adopt the staff recommendations in

the Recommendations Section of the report (September 24, 2004) from the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (September 24, 2004) from the Commissioner, Economic Development, Culture and Tourism.

**(Report 9, Clause 14)**

**10.18 Inclusion on the City of Toronto Inventory of Heritage Properties – 70 The Esplanade (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a report (August 18, 2004) from the Commissioner, Economic Development, Culture and Tourism, respecting Inclusion on the City of Toronto Inventory of Heritage Properties – 70 The Esplanade, and recommending that:

- (1) City Council include the property at 70 The Esplanade on the City of Toronto Inventory of Heritage Properties; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it a communication (October 21, 2004) from the Toronto Preservation Board, recommending to the Toronto and East York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (August 18, 2004) from the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor McConnell, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (August 18, 2004) from the Commissioner, Economic Development, Culture and Tourism.

**(Report 9, Clause 15)**

**10.19 Proposed Polls of Property Owners Regarding Continuation of Study and Designation as a Heritage Conservation District – Balmy Beach Heritage Conservation District Study Area (Beaches-East York, Ward 32)**

The Toronto and East York Community Council had before it a report (November 1, 2004) from the Commissioner of Economic Development, Culture and Tourism,

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respecting Proposed Polls of Property Owners Regarding Continuation of Study and Designation as a Heritage Conservation District – Balmy Beach Heritage Conservation District Study Area, and recommending that:

- (1) the City Clerk be directed to undertake a poll, as soon as possible, of property owners in the Balmy Beach Heritage Conservation District Study Area as defined by By-law 546-2004, to determine whether all or any of the 14 subdivisions of the Study Area wish to continue as part of the Heritage Conservation District study process;
- (2) the City Clerk be directed to undertake a second poll, at the end of the study process and before Council considers a final staff report, of property owners in the above subdivisions which have continued in the study process, to determine whether all or any of those subdivisions wishes to be designated as part of the Balmy Beach Heritage Conservation District;
- (3) the rules and procedures governing polls (Chapter 90 of the Municipal Code) apply to these polls, with the exception that the polling period be 15 days rather than 30, that only property owners be polled and an explanatory letter be sent prior to the polls;
- (4) staff of the Culture Division, EDCT, work with the Clerk in developing materials for the polls;
- (5) organizations holding pro and con views regarding the proposed Balmy Beach Heritage Conservation District be permitted to review and comment upon the material to be distributed to the property owners as part of the polls before it is finalized; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it the following:

- Communication (November 10, 2004) from Wayne Clutterbuck, Chair, HCD Committee, Balmy Beach Residents Association;
- Communication (November 10, 2004) from Elizabeth Lawler;
- Communication (November 9, 2004) from Liz Sisam;
- Communication (November 10, 2004) from Barbara Myrvold;
- Communication (November 11, 2004) from Jacquie Erickson;

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- Communication (November 15, 2004) from Stephen Saltsman;
- Communication (November 13, 2004) from Catherine Dunphy;
- Communication (November 14, 2004) from Linda Sheppard;
- Communication (November 15, 2004) from Nicola Aylin;
- Communication (November 16, 2004) from Lynn Gordon;
- Communication (November 16, 2004) from Mary Mursell;
- Communication (November 16, 2004) from Bill Mursell, President, Beach Home Owners' Association;
- Communication (November 15, 2004) from Martin and Diane Rooney;
- Communication (November 15, 2004) from John Anderson;
- Communication (November 15, 2004) from Robert Hewitt;
- Communication (November 15, 2004) from Bob Lush; and
- Communication (November 15, 2004) from Ron Robinson.

The following appeared before the Toronto and East York Community Council:

- Mary Mursell, Beach Home Owners' Association;
- Jacquie Erickson, Balmy Beach Residents' Association;
- Gene Domagala;
- Michel McDonald, Beach Home Owners' Association;
- Bill Mursell;
- Bob Lush;
- Lynn Gordon, Beach Home Owners' Association;
- Earl White, Beach Home Owners' Association;
- Bob Fullerton;
- Steve Saltsman;
- Nicola Aylin;
- Vincent McNeil;
- Eleanor Duthie, Beach Home Owners' Association and Balmy Beach Residents' Association;
- Jarett Smith; and
- Gladys De Schepper.



On motion by Councillor Bussin, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 1, 2004) from the Commissioner, Economic Development, Culture and Tourism subject to replacing Attachments 1A, 1B and 1C with a revised Attachment No. 1 in order to include the properties fronting on Kingswood Road around Bracken Avenue into the Kingswood Road subdivision rather than the Bracken Avenue subdivision.

**(Report 9, Clause 16)**

**10.20 Removal of Five Privately Owned Trees – 1100 King Street West (Parkdale-High Park, Ward 14)**

The Toronto and East York Community Council had before it a report (October 13, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Removal of Five Privately Owned Trees – 1100 King Street West (Parkdale-High Park, Ward 14), and recommending that:

- (1) the request for a permit for tree removal at 1100 King Street West be approved subject to:
  - (a) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Site Plan Approval Application No. 03 035158 SHY 14 SA commence which warrant the destruction of the trees; and
  - (b) the owner planting replacement trees to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; or
- (2) the request for a permit for tree removal at 1100 King Street West be denied.

On motion by Councillor Watson, the Toronto and East York Community Council recommended to City Council that the request for a permit for tree removal at 1100 King Street West be approved subject to:

- (1) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Site Plan Approval Application No. 03 035158 SHY 14 SA commence which warrant the destruction of the trees; and
- (2) the owner planting replacement trees to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.

**(Report 9, Clause 17)**

**10.21 Removal of One Privately Owned Tree – 6 Edgar Avenue (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a Report (October 22, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Removal of One Privately Owned Tree – 6 Edgar Avenue (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) the request for a permit for tree removal at 6 Edgar Avenue be denied; or
- (2) the request for a permit for tree removal at 6 Edgar Avenue be approved, subject to:
  - (a) the owner planting a replacement tree in accordance with the landscape plan prepared by Arborvalley Urban Forestry Co. Inc., dated September 28, 2004.

On motion by Councillor Mihevc, the Toronto and East York Community Council recommended to City Council that the request for a permit for tree removal at 6 Edgar Avenue be denied.

**(Report 9, Clause 21)**

**10.22 Injury to One Privately Owned Tree – 331 Rose Park Drive (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a Report (October 22, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Injury to One Privately Owned Tree – 331 Rose Park Drive (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) the request for a permit for tree injury at 331 Rose Park Drive be denied; or
- (2) the request for a permit for tree injury at 331 Rose Park Drive be approved subject to:
  - (a) the owner retaining a qualified tree expert to undertake the requested limb removal.

The Toronto and East York Community Council also had before it the following:

- Communication (November 15, 2004) from D. H. Walton-Ball; and

- Communication (September 26, 2004) from Rani and Doug Jamieson, applicants.

Rani Jamieson, applicant, appeared before the Toronto and East York Community Council.

On motion by Councillor Davis, the Toronto and East York Community Council recommended to City Council that the request for a permit for tree injury at 331 Rose Park Drive be denied.

**(Report 9, Clause 19)**

**10.23 Request for Approval of Variance(s) from Chapter 297, Signs, of the former City of Toronto Municipal Code – 481 Danforth Avenue (Toronto-Danforth, Ward 30)**

The Toronto and East York Community Council had before it a Report (September 23, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of Variance(s) from Chapter 297, Signs, of the former City of Toronto Municipal Code – 481 Danforth Avenue (Toronto-Danforth, Ward 30), and recommending that:the request for variances be refused for the reasons outlined in the report.

Evangelos Pitsadiotis, applicant, appeared before the Toronto and East York Community Council.

On motion by Councillor Davis, the Toronto and East York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (September 23, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 20)**

**10.24 Request for Approval of a Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - Top floor of the building at 150 Bloor Street West (Mackenzie Financial Corporation) (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a report (October 20, 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 - Top floor of the building at 150 Bloor Street West (Mackenzie Financial Corporation) (Toronto Centre-Rosedale, Ward 27), and recommending that the requested variance be refused for the reasons outlined in the report.

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The Toronto and East York Community Council also had before it the following:

- Communication (November 8, 2004) from John N. Lavis;
- Communication (November 9, 2004) from Sheldon D. Rosen;
- Communication (November 9, 2004) from Timur Leckebusch;
- Communication (November 10, 2004) from Shahid Bukhari;
- Communication (October 11, 2004) from Shahid Bukhari;
- Communication (July 5, 2004) from Frank Potter;
- Communication (October 14, 2004) from Gord Stromberg;
- Communication (November 10, 2004) from Patricia A. Speight;
- Communication (November 1, 2004) from John Caliendo, President, ABC Residents Association;
- Communication (November 8, 2004) from John N. Lavis;
- Communication (undated) from M.D. Mc Millan;
- Communication (November 10, 2004) from Gehl Martin;
- Communication (November 10, 2004) from Gerd Lupke;
- Communication (November 11, 2004) from Gee Chung, President, Greater Yorkville Residents' Association;
- Communication (November 11, 2004) from Paul Chalmers, Canaccord Capital Corporation;
- Communication (November 11, 2004) from Dr. Monica Armour;
- Communication (November 4, 2004) from Frank Potter, President, MTCC #626, The Renaissance Plaza Condominium Residences;
- Petition (undated) from the Renaissance Plaza Condominium Residences signed by 101 individuals;
- Communication (November 10, 2004) from Alan Baker;

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- Communication (November 15, 2004) from Ronald Kanter, McDonald and Hayden LLP;
- Communication (November 10, 2004) from Johan and Christina Demeester;
- Communication (November 14, 2004) from Myles and Elizabeth Morton;
- Communication (November 11, 2004) from Irene Zamborsky;
- Communication (November 12, 2004) from Grant Vingoe; and
- Communication (November 15, 2004) from Tom Taylor, Mayor, Town of Newmarket.

On motion by Councillor Mihevc, the Toronto and East York Community Council reopened consideration of the matter.

On motion by Councillor Walker, the Toronto and East York Community Council deferred consideration of the report (October 20, 2004) from the Director, Community Planning, South District to its next meeting on January 18, 2005.

(Letter sent to: Director, Community Planning, South District; Interested Persons; c: Norm Girdhar, Assistant Planner, East Section – November 19, 2004)

**(Report 9, Clause 69(d))**

**10.25 Construction of a Decorative Wrought Iron Fence – Fronting Dunvegan Road and on the Frybrook Road Flank of 1 Frybrook Road (St. Paul’s, Ward 22)**

The Toronto and East York Community Council had before it a report (October 25, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Construction of a Decorative Wrought Iron Fence – Fronting Dunvegan Road and on the Frybrook Road Flank of 1 Frybrook Road (St. Paul’s, Ward 22), and recommending that:

- (1) City Council approve the construction of a decorative wrought iron fence within the public right of way fronting Dunvegan Road and on the Frybrook Road flank of 1 Frybrook Road, subject to the property owners 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;

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- (b) maintain the fence at their own expense in good repair and a condition satisfactory to the Acting 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 upon receiving 90 days written notice so to do;
  - (d) accept such additional conditions as the City Solicitor or the Acting Commissioner of Works and Emergency Services may deem necessary in the interest of the City; and
  - (e) obtain approval from Urban Development Services, Municipal Licensing and Standards to construct the portion of the fence on private property; and
- (2) in the event of sale or transfer of the properties abutting the encroachment, Legal Services and/or the Acting Commissioner of Works and Emergency Services be authorised to extend the Encroachment Agreement to the new owner, subject to approval of the Acting Commissioner of Works and Emergency Services.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 25, 2004) from the Manager, Right of Way Management, Transportation Services, South District.

**(Report 9, Clause 21)**

**10.26 Application to Maintain Existing Grade of Public Lane for Vehicular Access – Public Laneway Rear of 1992 Yonge Street (St. Paul’s, Ward 22)**

The Toronto and East York Community Council had before it a report (October 20, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Application to Maintain Existing Grade of Public Lane for Vehicular Access – Public Laneway Rear of 1992 Yonge Street (St. Paul’s, Ward 22), and recommending that:

- (1) City Council approve the maintenance of the existing grade change to the public lane, subject to the property owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
  - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form approved by the Chief

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Financial Officer & Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer may require;

- (b) maintain the existing grade change to the public lane at his/her own expense in good repair and a condition satisfactory to the Acting Commissioner of Works and Emergency Services and will not make any additions or modifications to the lane beyond what is allowed under the terms of the Agreement;
  - (c) restore the slope of the laneway to its original grade and condition within 30 days of receiving written notice so to do if the City requires the laneway to be regraded for municipal purposes and/or it is determined that the sloped laneway will have any adverse impact on future development of the properties at 24 and 26 Imperial Street;
  - (d) pay for the cost of preparing the Agreement and the registration of the Agreement on title by Legal Services; and
  - (e) accept such additional conditions as the City Solicitor or the Acting Commissioner of Works and Emergency Services may deem necessary in the interest of the City;
- (2) in the event of sale or transfer of the properties abutting the in area of the laneway grade change, Legal Services and/or the Acting Commissioner of Works and Emergency Services be authorised to extend the Encroachment Agreement to the new owner, subject to approval of the Acting Commissioner of Works and Emergency Services; and
- (3) Legal Services be requested to prepare and execute the Encroachment Agreement.

The Toronto and East York Community Council also had before it a communication (November 3, 2004) from Michael Vaughan, on behalf of the owners of 24 and 26 Imperial Street.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 20, 2004) from the Manager, Right of Way Management, Transportation Services, South District.

**(Report 9, Clause 22)**

**10.27 Installation and Maintenance of a Statue of Alexander Wood – Fronting 70 Alexander Street (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a report (October 25, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Installation and Maintenance of a Statue of Alexander Wood – Fronting 70 Alexander Street (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) City Council approve the installation and maintenance of the statue fronting 70 Alexander Street, subject to the Church-Wellesley BIA 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;
  - (b) maintain the statue at their own expense in good repair and a condition satisfactory to the Acting Commissioner of Works and Emergency Services and will not make any additions or modifications to these encroachments beyond what is allowed under the terms of the Agreement;
  - (c) remove the statue upon receiving 90 days written notice to do so; and
  - (d) accept such additional conditions as the City Solicitor or the Acting Commissioner of Works and Emergency Services may deem necessary in the interest of the Corporation; and
- (2) Legal Services be requested to prepare and execute the Encroachment Agreement.

On motion by Councillor Mihevc, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 25, 2004) from the Manager, Right of Way Management, Transportation Services, South District.

**(Report 9, Clause 23)**

**10.28 Maintenance and Installation of Balconies – Fronting 365 King Street West (Trinity-Spadina, Ward 20)**

The Toronto and East York Community Council had before it a Report (October 20, 2004) from the Manager, Right of Way Management, Transportation Services, South District, respecting Maintenance and Installation of Balconies – Fronting 365 King Street West (Trinity-Spadina, Ward 20), and recommending that:



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- (1) City Council approve the maintenance and installation of the encroaching balconies fronting 365 King Street West, 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 and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted;
  - (b) maintain the balconies at their own expense in good repair and a condition satisfactory to the Acting Commissioner of Works and Emergency Services and will not make any additions or modifications to these encroachments beyond what is allowed under the terms of the Agreement;
  - (c) obtain approval for associated work on private property from Urban Development Services;
  - (d) remove the balconies upon receiving written notice to do so with the understanding that the City shall not give such notice in the first 75 years following completion of the installation or for the life of the building, whichever period is less; and
  - (e) accept such additional conditions as the City Solicitor or the Acting 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 Acting Commissioner of Works and Emergency Services be authorised to extend the Encroachment Agreement to the new owner, subject to the approval of the Acting Commissioner of Works and Emergency Services; and
- (3) Legal Services be requested to prepare and execute and arrange to register the Encroachment Agreement on title of the property.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 20, 2004) from the Manager, Right of Way Management, Transportation Services, South District.

**(Report 9, Clause 24)**

**10.29 Preliminary Report - Applications to amend the Official Plan, Zoning By-law and Draft Plan of Condominium - 34 Rowanwood Avenue (Toronto Centre-Rosedale, Ward 27)**

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The Toronto and East York Community Council had before it a preliminary report (October 18, 2004) from the Director, Community Planning, South District, respecting Applications to amend the Official Plan, Zoning By-law and Draft Plan of Condominium - 34 Rowanwood Avenue (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site, including tenants of the subject building, and the general public by way of a newspaper advertisement to be paid for by the applicant; and
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

The Toronto and East York Community Council also had before it a communication (November 15, 2004) from Ron Pauls, General Manager, Toronto Lawn Tennis Club, addressed to the Augen Capital Corporation

The Toronto and East York Community Council approved the staff recommendations in the Recommendations Section of the report (October 18, 2004) from the Director, Community Planning, South District.

(Letter sent to: Director, Community Planning, South District; c: Steve Daniels, Planner; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(e))**

**10.30 Preliminary Report - Official Plan Amendment & Rezoning Application – 500 Sherbourne Street (former Princess Margaret Hospital) (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a preliminary report (October 27, 2004) from the Director, Community Planning, South District, respecting Official Plan Amendment & Rezoning Application – 500 Sherbourne Street (former Princess Margaret Hospital) (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;

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- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

The Toronto and East York Community Council approved the staff recommendations in the Recommendations Section of the report (October 27, 2004) from the Director, Community Planning, South District.

(Letter sent to: Director, Community Planning, South District; c: Corwin L. Cambray, Planner; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(f))**

**10.31 Preliminary Report – Application to amend the former City of Toronto Zoning By-law 438-86, as amended – 66 Temperance Street (Sapphire Tower – Graphic Arts Building Inc. – Harry Stinson) (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a preliminary report (October 27, 2004) from the Director, Community Planning, South District, respecting Application to amend the former City of Toronto Zoning By-law 438-86, as amended – 66 Temperance Street (Sapphire Tower – Graphic Arts Building Inc. – Harry Stinson) (Toronto Centre-Rosedale, Ward 28), and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site;
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*; and
- (4) the applicant:
  - (i) work with City staff to address the issues identified in this report; and
  - (ii) submit a Planning Rationale Study, Site Servicing Report, Pedestrian Level Wind Study and Transportation Impact Study.

On motion by Councillor McConnell, with Councillor Walker in the Chair, the Toronto and East York Community Council approved the staff recommendations in the

Recommendations Section of the report (October 27, 2004) from the Director, Community Planning, South District.

(Letter sent to: Director, Community Planning, South District; c: Micheal Cole, Planner, Downtown Section; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(g))**

**10.32 Preliminary Report - Application for an Official Plan Amendment and Rezoning - 629, 633 and 675 Eastern Avenue (Toronto-Danforth, Ward 30)**

The Toronto and East York Community Council had before it a preliminary report (October 21, 2004) from the Director, Community Planning, South District, respecting Application for an Official Plan Amendment and Rezoning - 629, 633 and 675 Eastern Avenue (Toronto-Danforth, Ward 30), and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site as well as the adjacent residents association, South Riverdale Health Community Centre and the Carlaw-Dundas Neighbourhood Community Plan group;
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*; and
- (4) planning staff undertake a review of the planning strategy for the area bounded by Lake Shore Boulevard, Don Valley, Leslie Street and Eastern Avenue in consultation with the Ward Councillor and the community as appropriate.

On motion by Councillor Fletcher, the Toronto and East York Community Council:

- (1) approved the staff recommendations in the Recommendations Section of the report (October 21, 2004) from the Director, Community Planning, South District subject to amending Recommendation ((2) by deleting the words “within 120 metres” and replacing with the words “1000 metres”, so as to read:
  - “(2) notice for the community consultation meeting be given to landowners and residents within 1000 metres of the site, including tenants of the subject building, and the general public by way of a newspaper advertisement to be paid for by the applicant; and”;

- (2) requested the Commissioner of Urban Development Services to comment on the Lakeshore streetscape on both sides of Lakeshore Boulevard.

(Letter sent to: Commissioner of Urban Development Services; c: Director, Community Planning, South District; Denise Graham, Senior Planner, East Section; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(h))**

**10.33 Preliminary Report - Application to amend the Official Plan and Zoning By-law 438-86 - 53 Saunter Street (Toronto-Danforth, Ward 30)**

The Toronto and East York Community Council had before it a preliminary report (October 25, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Zoning By-law 438-86 - 53 Saunter Street (Toronto-Danforth, Ward 30), and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) 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 and East York Community Council approved the staff recommendations in the Recommendations Section of the report (October 25, 2004) from the Director, Community Planning, South District.

(Letter sent to: Director, Community Planning, South District; c: Heather Inglis Baron, Assistant Planner, East Section; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(i))**

**10.34 Preliminary Report - Application to amend the Official Plan and Zoning By-law 438-86, as amended - 14 St. Matthew's Road, 430 Broadview Avenue and 548, 550, 558 (562) Gerrard Street East (Toronto-Danforth, Ward 30)**

The Toronto and East York Community Council had before it a preliminary report (October 19, 2004) from the Director, Community Planning, South District, respecting Application to amend the Official Plan and Zoning By-law 438-86, as amended - 14 St. Matthew's Road, 430 Broadview Avenue and 548, 550, 558 (562) Gerrard Street East (Toronto-Danforth, Ward 30), and recommending that:

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

The following appeared before the Toronto and East York Community Council:

- Mary Kelly, Chair, Riverside Area Residents' Association; and
- Jason Ferdigan.

On motion by Councillor Davis, the Toronto and East York Community Council approved the staff recommendations in the Recommendations Section of the report (October 19, 2004) from the Director, Community Planning, South District subject to amending Recommendation (2) by deleting the words "within 120 metres" and replacing with the words "1000 metres", so as to read:

- “(2) notice for the community consultation meeting be given to landowners and residents within 1000 metres of the site”; and

directed that costs for providing the additional notice be provided by parties other than the Commissioner of Urban Development Services.

(Letter sent to: Director, Community Planning, South District; c: Denise Graham, Senior Planner, East Section; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(j))**

**10.35 Preliminary Report - Rezoning Application - 112, 114, 116, 118, 122 and 126 Kingston Road, 2110 and 2112 Dundas Street East and Part of 15 and 17 Edgewood Avenue (Beaches-East York, Ward 32)**

The Toronto and East York Community Council had before it a preliminary report (October 18, 2004) from the Director, Community Planning, South District, respecting Rezoning Application - 112, 114, 116, 118, 122 and 126 Kingston Road, 2110 and 2112 Dundas Street East and Part of 15 and 17 Edgewood Avenue (Beaches-East York, Ward 32), and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor.

- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

On motion by Councillor Bussin, the Toronto and East York Community Council referred the report (October 18, 2004) from the Director, Community Planning, South District back to the Director for consultation with the Ward Councillor.

(Letter sent to: Director, Community Planning, South District; c: Leontine Major, Senior Planner, South District; Interested Persons – November 19, 2004)

**(Report 9, Clause 69(k))**

**10.36 Status Report - 1001 Queen Street West (Centre For Addiction And Mental Health) (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a status report (October 28, 2004) from the Director, Community Planning, South District, respecting 1001 Queen Street West (Centre For Addiction And Mental Health) (Trinity-Spadina, Ward 19), and recommending that Council appoint the members of the Site Plan Review Committee as set out Attachment 1.

On motion by Councillor Mihevc, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 28, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 25)**

**10.37 Request for Approval of a Minor Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 61 Hanna Avenue (formerly known as 14 Strachan Avenue) (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a report (October 14, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of a Minor Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 61 Hanna Avenue (formerly known as 14 Strachan Avenue) (Trinity-Spadina, Ward 19), and recommending that:

- (1) the request for a minor variance be approved to permit, for identification purposes, four-illuminated fascia signs in the form of a corporate logo to identify "TD Canada Trust" financial services. The signs would be erected on the north, south, east and west elevations of an architectural feature which extends above the first floor level of the building at 61 Hanna Avenue (formerly known as 14 Strachan Avenue); and
- (2) the applicant be advised that upon approval of this application, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services.

On motion by Councillor Mihevc, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 14, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 26)**

**10.38 Request for Approval of Minor Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 150 Bloor Street West (Calvin Klein) (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a report (October 4, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of Minor Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 150 Bloor Street West (Calvin Klein) (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) the request for variances be approved to permit an illuminated fascia sign to identify the Calvin Klein retail outlet at 150 Bloor Street West; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit(s) from the Commissioner of Urban Development Services.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 4, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 27)**



**10.39 Request for Approval of a Minor Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 50 Bloor Street West (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a report (October 15, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of a Minor Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 50 Bloor Street West (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) the request for a minor variance be approved to permit, for identification purposes, an illuminated fascia sign on the front elevation of the building at 50 Bloor Street West; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 15, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 28)**

**10.40 Request for Approval of Minor Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 20 Front Street West (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a report (October 21, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of Minor Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 20 Front Street West (Toronto Centre-Rosedale, Ward 28), and recommending that:

- (1) the request for minor variances be approved to permit, for identification purposes, an illuminated fascia sign in the form of a corporate name and logo on the east elevation of the building at 20 Front Street West; and
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permit(s) from the Commissioner of Urban Development Services.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 21, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 29)**

**10.41 Request for Approval of a Minor Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 214 King Street East (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a report (October 6, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of a Minor Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 214 King Street East (Toronto Centre-Rosedale, Ward 28), and recommending that:

- (1) the request for a minor variance to maintain 12 existing projecting signs, for identification purposes, be approved; and
- (2) the applicant be advised upon approval of this application, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 6, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 30)**

**10.42 Request for Approval of a Minor Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 49 Ontario Street (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a report (October 14, 2004) from the Director, Community Planning, South District, respecting a Request for Approval of a Minor Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 49 Ontario Street (Toronto Centre-Rosedale, Ward 28), and recommending that:

- (1) the request for a minor variance be approved to permit, for identification purposes, an illuminated fascia sign in the form of a corporate name and logo on the west elevation of the building at 49 Ontario Street; and
- (2) the applicant be advised that upon approval of this application, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services.

On motion by Councillor Mihevc, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 14, 2004) from the Director, Community Planning, South District.

**(Report 9, Clause 31)**

**10.43 Proposed Installation of Speed Bumps in the Public Lane between Pauline Avenue and Russett Avenue, north of Bloor Street West (Davenport, Ward 18)**

The Toronto and East York Community Council had before it a report (October 20, 2004) from the Director, Transportation Services, South District, respecting Proposed Installation of Speed Bumps in the Public Lane between Pauline Avenue and Russett Avenue, north of Bloor Street West (Davenport, Ward 18), and recommending that:

- (1) the installation of speed bumps in the public lane system bounded by Pauline Avenue, Bloor Street West, Russett Avenue and Wallace Avenue, of the type and design noted and at the locations shown on Drawing No. 421F-7379 dated May 2004, be approved; and
- (2) the appropriate City officials be authorized 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 Giambrone, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 20, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 32)**

**10.44 Speed Hump Poll Results - Lisgar Street, between Queen Street West and Dundas Street West (Davenport, Ward 18)**

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The Toronto and East York Community Council had before it a report (October 20, 2004) from the Director, Transportation Services, South District, respecting Speed Hump Poll Results - Lisgar Street, between Queen Street West and Dundas Street West (Davenport, Ward 18), and recommending that this report be received for information.

On motion by Councillor Giambrone, the Toronto and East York Community Council recommended that, notwithstanding the level of response to the poll, and with implementation scheduling subject to competing priorities:

- (1) a by-law be enacted authorizing the alteration of sections of the roadway by means of the installation of speed humps on Lisgar Street, between Queen Street West and Dundas Street West, for traffic calming purposes as shown on the print of Drawing No. 421F-7344, dated April 2004;
- (2) pursuant to the requirements of the Municipal Class Environmental Act, Notice of Completion be issued;
- (3) the maximum speed limit on Lisgar Street, between Queen Street West and Dundas Street West, be reduced from forty kilometres per hour to thirty kilometres per hours, coincident with the installation of the speed humps; and
- (4) the appropriate City officials be authorized and directed to take whatever action is necessary to give effect to these recommendations, including the introduction in Council of any Bills that may be required.

**(Report 8, Clause 33)**

**10.45 Request for installation of speed humps – Kenwood Avenue, between St. Clair Avenue West and Vaughan Road (St. Paul’s Ward 21)**

The Toronto and East York Community Council had before it a Report (October 26, 2004) from the Director, Transportation Services, South District respecting a Request for installation of speed humps – Kenwood Avenue, between St. Clair Avenue West and Vaughan Road (St. Paul’s Ward 21), and recommending that this report be received for information.

On motion by Councillor Mihevc, the Toronto and East York Community Council recommended that:

- (1) appropriate staff be authorized to conduct a poll of residents on Kenwood Avenue, between St. Clair Avenue West and Vaughan Road, to determine support for the proposed traffic calming plan described in Recommendation (2), in accordance with the City of Toronto Traffic Calming 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 Services, Emergency Medical Services and Toronto Police Services;

- (2) subject to favourable results of the poll:
  - (a) a draft by-law be prepared for the alteration of sections of the roadway on Kenwood Avenue between St. Clair Avenue West and Vaughan Road, for traffic calming purposes as described below:

“The construction of six speed humps on Kenwood Avenue from St. Clair Avenue West to Vaughan Road, generally as shown on the attached print of Drawing No. 421F-7600, dated October 2004”;
  - (b) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued;
  - (c) the speed limit on Kenwood Avenue between St. Clair Avenue West and Vaughan Road, be reduced from 40 km/h to 30 km/h, coincident with the installation of speed humps; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect to these recommendations, including the introduction in Council of any Bills that are required.

**(Report 9, Clause 34)**

**10.46 Request for All-Way “Stop” Control – Hickson Street at Norfolk Street (Davenport, Ward 18)**

The Toronto and East York Community Council had before it a report (October 14, 2004) from the Director, Transportation Services, South District, respecting a Request for All-Way “Stop” Control – Hickson Street at Norfolk Street (Davenport, Ward 18), and recommending that:

- (1) a “Stop” sign be installed for westbound traffic on Hickson Street at the intersection of Norfolk Street; and
- (2) 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 Giambrone, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the

Recommendations Section of the report (October 14, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 35)**

**10.47 Request to install northbound and southbound “Stop” sign control – Hanna Avenue and Liberty Street/East Liberty Street (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a report (October 29, 2004) from the Director, Transportation Services, South District, respecting a Request to install northbound and southbound “Stop” sign control – Hanna Avenue and Liberty Street/East Liberty Street (Trinity-Spadina, Ward 19), and recommending that:

- (1) “Stop” signs be installed for northbound and southbound traffic on Hanna Avenue at its intersection with Liberty Street/East Liberty Street; and
- (2) 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 and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 29, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 36)**

**10.48 Request to install all-way “Stop” sign control - Chaplin Crescent and Lascelles Boulevard (St. Paul’s, Ward 22)**

The Toronto and East York Community Council had before it a report (October 29, 2004) from the Director, Transportation Services, South District respecting a Request to install all-way “Stop” sign control - Chaplin Crescent and Lascelles Boulevard (St. Paul’s, Ward 22), and recommending that this report be received for information.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that:

- (1) the existing pedestrian crossover at Chaplin Crescent and Lascelles Boulevard be removed; and
- (2) an all-way “Stop” sign control be installed at Chaplin Crescent and Lascelles Boulevard; and

- (3) appropriate City officials be requested to take whatever action is necessary to carry out these recommendations including the introduction in Council of any necessary Bills.

**(Report 9, Clause 37)**

**10.49 Installation of all-way “Stop” sign control – McAlpine Street and McMurrich Street and Proposed one-way northbound operation - First lane east of Davenport Road, Belmont Street to Hillsboro Avenue (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a report (October 29, 2004) from the Director, Transportation Services, South District, respecting Installation of all-way “Stop” sign control – McAlpine Street and McMurrich Street and Proposed one-way northbound operation - First lane east of Davenport Road, Belmont Street to Hillsboro Avenue (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) “Stop” signs be installed for northbound and southbound traffic on McMurrich Street at McAlpine Street;
- (2) the first lane east of Davenport Road, extending between Belmont Street and Hillsboro Avenue be designated as one-way northbound; 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 Mihevc, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 29, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 38)**

**10.50 Installation of All-way Stop Control – Greenwood Avenue and Plains Road (Toronto-Danforth, Ward 29)**

The Toronto and East York Community Council had before it a report (October 27, 2004) from the Director, Transportation Services, South District, respecting Installation of All-way Stop Control – Greenwood Avenue and Plains Road (Toronto-Danforth, Ward 29), and recommending that:

- (1) stop signs be installed for northbound and southbound traffic on Greenwood Avenue at Plains Road; and

- (2) 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.

On motion by Councillor Ootes, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 27, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 39)**

**10.51 Implementation of a “No Standing Anytime” prohibition – Shaw Street, both sides, north of Queen Street West, adjacent to the center median/bull nose (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a report (November 1, 2004) from the Director, Transportation Services, South District, respecting Implementation of a “No Standing Anytime” prohibition – Shaw Street, both sides, north of Queen Street West, adjacent to the center median/bull nose (Trinity-Spadina, Ward 19), and recommending that:

- (1) a “No Standing Anytime” prohibition be implemented on both sides of Shaw Street, from a point 50.0 metres north of Queen Street West to a point 24.0 metres further north; and
- (2) 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 and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 1, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 40)**

**10.52 Temporary Amendments to Parking Regulations - Richmond Street West, north side, between York Street and Bay Street (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a report (October 28, 2004) from the Director, Transportation Services, South District, respecting Temporary



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Amendments to Parking Regulations - Richmond Street West, north side, between York Street and Bay Street (Toronto Centre-Rosedale, Ward 28), and recommending that:

- (1) the existing stopping prohibition in effect from 3:30 p.m. to 6:30 p.m., Monday to Friday, except Public Holidays, on the north side of Richmond Street West, between a point 89 metres east of York Street and Victoria Street, be rescinded;
- (2) the existing standing prohibition in effect on the north side of Richmond Street West, between York Street and a point 81 metres east thereof, be rescinded;
- (3) the existing parking prohibition in effect at all times on the north side of Richmond Street West, between a point 141 metres east of York Street and a point 53 metres east of Bay Street, be rescinded;
- (4) the existing regulation which allows buses to park for a maximum permissible parking period of 13 hours, from 6:30 p.m. to 7:30 a.m., Monday to Friday, and all day Saturday and Sunday, at a rate of \$5.00 per hour, on the north side of Richmond Street West, between a point 89 metres east of York Street and a point 141 metres further east thereof, be rescinded;
- (5) stopping be prohibited from 3:30 p.m. to 6:30 p.m., Monday to Friday, except Public Holidays, on the north side of Richmond Street West, between Bay Street and Victoria Street;
- (6) standing be prohibited at all times on the north side of Richmond Street West, between York Street and a point 89 metres further east thereof;
- (7) standing be prohibited at all times on the north side of Richmond Street West, between a point 89 metres east of York Street and a point 55 metres further east thereof;
- (8) parking be prohibited from 7:30 a.m. to 3:30 p.m., Monday to Friday, on the north side of Richmond Street West, between Bay Street and a point 53 metres east thereof;
- (9) a temporary, six vehicle taxicab stand be designated on the north side of Richmond Street West, between a point 143 metres east of York Street and a point 32 metres further east thereof;
- (10) buses be allowed to park for a maximum permissible parking period of 13 hours, from 6:30 p.m. to 7:30 a.m., Monday to Friday, and all day Saturday and Sunday, at a rate of \$5.00 per hour, on the north side of Richmond Street West, between a point 175 metres east of York Street and a point 35 metres further east thereof;

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- (11) upon completion of the Sheraton Centre Toronto Hotel renovations, the parking regulations on the north side of Richmond Street West, between York Street and Bay Street, revert to their pre-construction traffic conditions;
- (12) a copy of this report be forwarded to the Commissioner of Urban Development Services for information; and
- (13) 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 Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 28, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 41)**

**10.53 Short-term parking area – Carlaw Avenue in the vicinity of Our Happiness Day Care (Toronto-Danforth, Ward 29)**

The Toronto and East York Community Council had before it a report (October 27, 2004) from the Director, Transportation Services, South District, respecting Short-term parking area – Carlaw Avenue in the vicinity of Our Happiness Day Care (Toronto-Danforth, Ward 29), and recommending that:

- (1) the “No Parking Anytime” regulation on the east side of Carlaw Avenue from Danforth Avenue to a point 38 metres north thereof, be rescinded;
- (2) a “No Parking Anytime” regulation be established on the east side of Carlaw Avenue from Danforth Avenue to a point 22 metres north thereof;
- (3) a “15-minute parking, from 7:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m., and 3:00 p.m. to 6:00 p.m., Monday to Friday, Except Public Holidays” regulation be established on the east side of Carlaw Avenue, from a point 22 metres north of Danforth Avenue to a point 16 metres further north;
- (4) a “No Parking, from 9:00 a.m. to 11:30 a.m., 1:00 p.m. to 3:00 p.m., and 6:00 p.m. to 7:00 a.m., Monday to Friday and Anytime, Saturdays, Sundays and Public Holidays” regulation be established on the east side of Carlaw Avenue from a point 22 metres north of Danforth Avenue to a point 22 metres north thereof; and

- (5) 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.

On motion by Councillor Ootes, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 27, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 42)**

**10.54 Amendments to the Parking Regulations - Bain Avenue, east of Ingham Avenue (Toronto-Danforth, Ward 30)**

The Toronto and East York Community Council had before it a report (October 27, 2004) from the Director, Transportation Services, South District, respecting Amendments to the Parking Regulations - Bain Avenue, east of Ingham Avenue (Toronto-Danforth, Ward 30), and recommending that:

- (1) the “No Stopping Anytime” regulation on both sides of Bain Avenue, from a point 82.5 metres east of Ingham Avenue to a point 12.0 metres further east thereof, be rescinded;
- (2) the “No Parking Anytime” regulation be rescinded on:
  - (a) the north side Bain Avenue, from Ingham Avenue to a point 82.5 metres east thereof;
  - (b) the north side of Bain Avenue, from a point 94.5 metres east of Ingham Avenue to Logan Avenue;
- (3) Parking be prohibited at all times on the north side of Bain Avenue, from Ingham Avenue to Logan Avenue; and
- (4) 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 and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 27, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 43)**

**10.55 Request to introduce a “Student pick-up and drop-off area” on the south side of Wright Avenue fronting Fern Avenue Public School (Parkdale-High Park, Ward 14)**

The Toronto and East York Community Council had before it a revised report (October 29, 2004) from the Director, Transportation Services, South District, respecting a Request to introduce a “Student pick-up and drop-off area” on the south side of Wright Avenue fronting Fern Avenue Public School (Parkdale-High Park, Ward 14), and recommending that:

- (1) the existing one hour maximum parking limit, Monday to Saturday, on the south side of Wright Avenue from a point 48 metres east of Roncesvalles Avenue to Sorauren Avenue be amended to operate from a point 48 metres east of Roncesvalles Avenue to a point 86 metres further east thereof and from a point 262.5 metres east of Roncesvalles Avenue to Sorauren Avenue;
- (2) the existing parking prohibition from 8:30 a.m. to 5:00 p.m., Monday to Friday, on the south side of Wright Avenue from a point 134.1 metres east of Roncesvalles Avenue to a point 129 metres further east be rescinded;
- (3) parking be prohibited from 9:30 a.m. to 11:00 a.m., from 1:30 p.m. to 3:00 p.m., and from 4:00 p.m. to 5:00 p.m., Monday to Friday, on the south side of Wright Avenue from a point 134 metres east of Roncesvalles Avenue to a point 128.5 metres further east;
- (4) parking be allowed for a maximum period of 15 minutes on the south side of Wright Avenue from a point 134 metres east of Roncesvalles Avenue to a point 128.5 metres further east thereof, from 8:30 a.m. to 9:30 a.m., 11:30 a.m. to 1:30 p.m., and from 3:00 p.m. to 4:00 p.m., Monday to Friday;
- (5) parking be allowed for a maximum period of one hour on the south side of Wright Avenue from a point 134 metres east of Roncesvalles Avenue to a point 128.5 metres further east thereof, from 5:00 p.m. of one day to 8:30 a.m. the following day, Monday to Friday and all day Saturday; and
- (6) 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 Watson, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the revised report (October 29, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 44)**

**10.56 Amendment to the existing Student Pick-up/Drop-off zone – Fronting 10 Rosehill Avenue (St. Paul's, Ward 22)**

The Toronto and East York Community Council had before it a report (October 28, 2004) from the Director, Transportation Services, South District, respecting Amendment to the existing Student Pick-up/Drop-off zone – Fronting 10 Rosehill Avenue (St. Paul's, Ward 22), and recommending that:

- (1) the existing ten-minute maximum parking limit in operation from 8:00 a.m. to 9:00 a.m. and from 3:00 p.m. to 6:00 p.m., Monday to Friday, on the north side of Rosehill Avenue from a point 50 metres east of Yonge Street to a point 8 metres further east, be adjusted to operate from 7:30 a.m. to 9:00 a.m. and from 3:00 p.m. to 6:00 p.m., Monday to Friday;
- (2) the existing “No Standing” regulation on the north side of Rosehill Avenue, from a point approximately 50 metres east of Yonge Street to a point 8 metres further east, from 9:00 a.m. to 3:00 p.m. and from 6:00 p.m. of one day to 8:00 a.m. of the next following day, Monday to Friday, and anytime on Saturday and Sunday, be adjusted to operate from 9:00 a.m. to 3:00 p.m. and from 6:00 p.m. of one day to 7:30 a.m. of the next following day, Monday to Friday and anytime on Saturday and Sunday; and
- (3) 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 and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 28, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 45)**

**10.57 Implementation of a “No Stopping Anytime” prohibition – Euclid Avenue, east side, from College Street to a point 42.7 metres north (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a report (November 2, 2004) from the Director, Transportation Services, South District, respecting Implementation of a “No Stopping Anytime” prohibition – Euclid Avenue, east side, from College Street to a point 42.7 metres north (Trinity-Spadina, Ward 19), and recommending that:

- (1) the “No Parking Anytime” prohibition, on the east side of Euclid Avenue, from College Street to a point 42.7 metres north, be rescinded;
- (2) a “No Stopping Anytime” prohibition be implemented on the east side of Euclid Avenue, from College Street to a point 42.7 metres north; and
- (3) 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 Mihevc, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 2, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 46)**

**10.58 Implementation of Stopping and Standing Prohibitions and Delineation of a Motorcoach Loading Area – Victoria Street, east side, south of Dundas Street East (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a report (October 26, 2004) from the Director, Transportation Services, South District, respecting Implementation of Stopping and Standing Prohibitions and Delineation of a Motorcoach Loading Area – Victoria Street, east side, south of Dundas Street East (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) the “No Parking Anytime” regulation on the east side of Victoria Street, from Dundas Street East to a point 70.0 metres south of Dundas Square, be rescinded;
- (2) the “No Standing Anytime” regulation on the east side of Victoria Street, from a point 25.0 metres south of Dundas Street East (south branch) a point 9.0 metres further south thereof, be rescinded;
- (3) Stopping be prohibited at all times on the east side of Victoria Street, from Dundas Street East to a point 26.0 metres south thereof;
- (4) Standing be prohibited at all times on the east side of Victoria Street, from a point 26.0 metres south of Dundas Street East to a point 30.0 metres further south thereof;

- (5) parking be prohibited at all times on the east side of Victoria Street, from a point 56.0 metres south of Dundas Street East to a point 34.0 metres further south thereof;
- (6) contingent upon the approval of Recommendation No. 4 (above), the east side of Victoria Street, from a point 26.0 metres south of Dundas Street East to a point 20.0 metres further south thereof, be delineated as a "Motorcoach Loading Area"; and
- (7) 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.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 26, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 47)**

**10.59 Establishment of a Pick-up and Drop-off Zone for Persons with Physical Disabilities - 63 Temperance Street (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a report (October 28, 2004) from the Director, Transportation Services, South District, respecting Establishment of a Pick-up and Drop-off Zone for Persons with Physical Disabilities - 63 Temperance Street (Toronto Centre-Rosedale, Ward 28), and recommending that:

- (1) an on-street pick-up and drop-off zone for persons with physical disabilities be established on the south side of Temperance Street, from a point 48 metres west of Bay Street to a point 12.0 metres further west thereof;
- (2) the existing "No Parking Anytime" regulation, on the south side of Temperance Street, between Sheppard Street and Bay Street, be rescinded;
- (3) parking be prohibited at all times on the south side of Temperance Street, from Bay Street to a point 48 metres west thereof;
- (4) parking be prohibited at all times on the south side of Temperance Street, from a point 60 metres west of Bay Street to Sheppard Street;
- (5) standing be prohibited at all times on the south side of Temperance Street from a point 48 metres west of Bay Street, to a point 12.0 metres further west thereof; and

- (6) 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.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 28, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 48)**

**10.60 Rescindment of a Designated On-street Loading Zone for Disabled Persons - Hanson Street, east of Parkmount Road (Toronto-Danforth, Ward 30)**

The Toronto and East York Community Council had before it a report (October 29, 2004) from the Director, Transportation Services, South District, respecting Rescindment of a Designated On-street Loading Zone for Disabled Persons - Hanson Street, east of Parkmount Road (Toronto-Danforth, Ward 30), and recommending that:

- (1) the designated on-street loading zone for disabled persons, on the south side of Hanson Street, from a point 23 metres east of Parkmount Road to a point 46 metres further east, be rescinded; 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.

The Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 29, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 49)**

**10.61 Installation/removal of On-Street Parking Spaces for Persons with Disabilities (Parkdale-High Park, Ward 14; Trinity-Spadina, Ward 19; St. Paul's, Ward 21; Toronto-Danforth, Toronto Centre-Rosedale, Ward 27; Ward 30 and Beaches-East York, Ward 32)**

The Toronto and East York Community Council had before it a report (October 29, 2004) from the Director, Transportation Services, South District, respecting Installation/removal of On-Street Parking Spaces for Persons with Disabilities (Parkdale-High Park, Ward 14; Trinity-Spadina, Ward 19; St. Paul's, Ward 21; Toronto-Danforth,



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Toronto Centre-Rosedale, Ward 27; Ward 30 and Beaches-East York, Ward 32), and recommending that:

- (1) the installation/removal of on-street disabled parking spaces as noted in Table “A” of this report be approved; and
- (2) 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.

The Toronto and East York Community Council also had before it a Revised Table “A” from the report (October 29, 2004) from the Director, Transportation Services, South District.

On motion by Councillor Bussin, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 29, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 50)**

**10.62 Provision of a “Loading Zone” – Laxton Avenue, south side, between Dowling Avenue and Jameson Avenue, fronting 3 Laxton Avenue (Parkdale-High Park, Ward 14)**

The Toronto and East York Community Council had before it a report (October 21, 2004) from the Director, Transportation Services, South District, respecting Provision of a “Loading Zone” – Laxton Avenue, south side, between Dowling Avenue and Jameson Avenue, fronting 3 Laxton Avenue (Parkdale-High Park, Ward 14), and recommending that:

- (1) parking be prohibited on the south side of Laxton Avenue, from a point 59 metres west of Jameson Avenue to a point 7 metres further west in conjunction with the establishment of a passenger loading zone; 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 motion by Councillor Watson, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 21, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 51)**

**10.63 Request to place two planter boxes - west side of Dovercourt Road, north of Mackenzie Crescent (Davenport, Ward 18; Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a report (October 29, 2004) from the Director, Transportation Services, South District, respecting a Request to place two planter boxes - west side of Dovercourt Road, north of Mackenzie Crescent (Davenport, Ward 18; Trinity-Spadina, Ward 19), and recommending that:

- (1) a by-law be prepared to alter the west side of Dovercourt Road at its intersection with Mackenzie Crescent, as described below:

“the narrowing of Dovercourt Road, from a width of 7.4 m to a width of 5.8 m by the “Placement of two 1.0 m x 1.0 m planter boxes on the west side of DOVERCOURT ROAD approximately 7.6 m and 11.3 m north of Mackenzie Crescent to a point 12.3 m north of Mackenzie Crescent, generally as shown in the attached print of Drawing No. 42IF-7599, dated October, 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 motion by Councillor Giambrone, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 29, 2004) from the Director, Transportation Services, South District subject to amending Recommendation (1) to decrease the number of planter boxes from two to one, and to request that the Director, Transportation Services, South District ensure that appropriate changes be made to the space reserved for the planter boxes.

**(Report 9, Clause 52)**

**10.64 Lyall Avenue Heritage Conservation District Study Area (Beaches-East York, Ward 32)**

The Toronto and East York Community Council had before it a report (September 29, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting Lyall Avenue Heritage Conservation District Study Area (Beaches-East York, Ward 32), and recommending that:

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- (1) City Council pass a by-law pursuant to Part V of the *Ontario Heritage Act* identifying Lyall Avenue from Main Street to Malvern Avenue as the Lyall Avenue Heritage Conservation District Study Area; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it a communication (October 21, 2004) from the Toronto Preservation Board, recommending to the Toronto and East York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (September 29, 2004) from the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor Bussin, the Toronto and East York Community Council received the report (September 29, 2004) from the Commissioner of Economic Development, Culture and Tourism and the communication (October 21, 2004) from the Toronto Preservation Board, as Council at its meeting held on September 28, 2004, adopted a Notice of Motion to implement the same recommendations as listed in the report.

**(Report 9, Clause 69(1))**

**10.65 Ontario Municipal Board Hearing – 20, 22, 22A and 24 Bathurst Street (Trinity-Spadina, Ward 19)**

The Toronto and East York Community Council had before it a communication (October 5, 2004) from the City Clerk, advising that City Council on September 28, 29 and 30, 2004 referred back to the Toronto and East York Community Council Report 7, Clause 43, titled “Ontario Municipal Board Hearing – 20, 22, 22A and 24 Bathurst Street (Trinity-Spadina, Ward 19)”, for further consideration, and directed that the report previously requested of the Commissioner of Urban Development Services, in consultation with the Chief Financial Officer and Treasurer, be submitted directly to the Toronto and East York Community Council.

The Toronto and East York Community Council also had before it a report (November 2, 2004) from the Director, Community Planning, South District, recommending that the Commissioner of Urban Development Services report directly to Council, in consultation with the Chief Financial Officer, on finalizing agreements with the owners respecting the development of 20, 22, 22A Bathurst Street in the Fort York Neighbourhood, and to request further direction on the Ontario Municipal Board hearing scheduled to continue December 15, 2004.

The Toronto and East York Community Council submitted this matter to City Council without recommendation.

The Toronto and East York Community Council also requested the Commissioner of Urban Development Services, in consultation with the Chief Financial Officer, to report directly to Council for its meeting on November 30, 2004, on finalizing agreements with the owners respecting the development of 20, 22, 22A Bathurst Street in the Fort York Neighbourhood, and to request further direction on the Ontario Municipal Board hearing scheduled to continue December 15, 2004.

(Letter sent to: Commissioner of Urban Development Services; Chief Financial Officer and Treasurer; c: Lynda Macdonald, Manager, West Section, Community Planning, South District – November 19, 2004)

**(Report 9, Clause 53)**

**10.66 Ontario Municipal Board Hearing – 511 Bremner Boulevard and 2 and 20 Housey Street (Trinity-Spadina, Ward 20)**

The Toronto and East York Community Council had before it a communication (October 5, 2004) from the City Clerk, advising that City Council on September 28, 29 and 30, 2004 referred back to the Toronto and East York Community Council Report 7, Clause 44, titled “Ontario Municipal Board Hearing – 511 Bremner Boulevard and 2 and 20 Housey Street (Trinity-Spadina, Ward 20)”, for further consideration, and directed that the report previously requested of the Commissioner of Urban Development Services, in consultation with the Chief Financial Officer and Treasurer, be submitted directly to the Toronto and East York Community Council.

The Toronto and East York Community Council also had before it a report (November 2, 2004) from the Director, Community Planning, South District, and recommending that the Commissioner of Urban Development Services report directly to Council, in consultation with the Chief Financial Officer and the Commissioner of Works and Emergency Services on:

- (a) any credits which may be applied to Development Charges for 511 Bremner and 2 and 20 Housey Street;
- (b) details of implementing agreements with Wittington Properties Limited, and
- (c) further direction on the Ontario Municipal Board hearing scheduled to continue December 15, 2004.

The Toronto and East York Community Council submitted this matter to City Council without recommendation.

The Toronto and East York Community Council also requested the Commissioner of Urban Development Services, in consultation with the Chief Financial Officer, the Commissioner of Works and Emergency Services and the Ward Councillor, to report directly to Council for its meeting on November 30, 2004 on:

- (a) any credits which may be applied to Development Charges for 511 Bremner and 2 and 20 Housey Street;
- (b) details of implementing agreements with Wittington Properties Limited, and
- (c) further direction on the Ontario Municipal Board hearing scheduled to continue December 15, 2004.

(Letter sent to: Commissioner of Urban Development Services; Commissioner of Works and emergency Services; Chief Financial Officer and Treasurer; Councillor Chow; c: Lynda Macdonald, Manager, West Section, Community Planning, South District – November 19, 2004)

**(Report 9, Clause 54)**

**10.67 Ontario Municipal Board Decision – Minor Variance Refusal – 271 and 273 Kenilworth Avenue (Beaches-East York, Ward 32)**

The Toronto and East York Community Council had before it a report (October 13, 2004) from the City Solicitor respecting Ontario Municipal Board Decision – Minor Variance Refusal – 271 and 273 Kenilworth Avenue (Beaches-East York, Ward 32).

On motion by Councillor Bussin, the Toronto and East York Community Council received the report (October 13, 2004) from the City Solicitor.

**(Report 9, Clause 69(m))**

**10.68 Use of Nathan Phillips Square: “WinterCity”, January 24 to February 10, 2005 (Toronto Centre-Rosedale, Ward 27) and Non-Objection Letter for Alcohol and Gaming Commission for the 2005 WinterCity Festival taking place on Nathan Phillips Square (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council had before it a report (October 6, 2004) from the Commissioner of Corporate Services respecting, Use of Nathan Phillips Square: “WinterCity”, January 24 to February 10, 2005 (Toronto Centre-Rosedale, Ward 27) and Non-Objection Letter for Alcohol and Gaming Commission for the 2005 WinterCity Festival taking place on Nathan Phillips Square (Toronto Centre-Rosedale, Ward 27), and recommending that:

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- (1) exemption be given to the event organizers to operate a tented beer garden, contingent upon the following conditions:
  - a) approval of the Alcohol & Gaming Commission of Ontario (A.G.C.O);
  - b) approval of the Medical Officer of Health;
  - c) compliance with the City of Toronto's Municipal Alcohol Policy;
  - d) receipt of the necessary permits associated with the production of the event i.e., building permit;
- (2) subject to review and approval of the Fire Chief, exemption be given to the Tourism Division of the Economic Development, Culture & Tourism Department to use atmospheric fire performances that will feature fire breathers, eaters and jugglers and to use special effects pyrotechnics under Class 7.2.5 of the Federal Explosives Regulations on Nathan Phillips Square; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto and East York Community Council also had before it a report (October 20, 2004) from the Commissioner of Economic Development, Culture and Tourism, respecting the 2005 Toronto WinterCity Festival, and recommending that

- (1) the 2005 Toronto WinterCity Festival be declared an event of municipal significance, for LLBO purposes and indicate that there is no objection to granting a liquor licence for beer gardens and/or alcohol and wine service on Nathan Phillips Square; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

- (1) adopt the staff recommendations in the Recommendations Section of the report (October 6, 2004) from the Commissioner of Corporate Services; and
- (2) adopt the staff recommendations in the Recommendations Section of the report (October 20, 2004) from the Commissioner of Economic Development, Culture and Tourism.

**(Report 9, Clause 55)**

**10.69 Request for Event to be Recognized as Event of Municipal Significance – First Night – December 29-31, 2004 (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council had before it a communication (October 27, 2004) from Greg Attwell, Executive Director, First Night Toronto, requesting First Night to be held on December 29-31, 2004 to be recognized as an event of Municipal Significance, respecting a Request for Event to be Recognized as Event of Municipal Significance – First Night – December 29-31, 2004 (Toronto Centre-Rosedale, Ward 28)

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council, declare First Night Toronto, to be held on December 29, 30 and 31, 2004, in the Distillery District to be an event of municipal/community significance.

**(Report 9, Clause 56)**

**10.70 Installation of Speed Humps – Bleecker Street, between Wellesley Street and Howard Street (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council gave consideration to a report (November 1, 2004) from the Director, Transportation Services, South District, respecting Installation of Speed Humps – Bleecker Street, between Wellesley Street and Howard Street (Toronto Centre-Rosedale, Ward 28), and recommending that this report be received for information.

On motion by Councillor Watson, the Toronto and East York Community Council recommended to City Council that:

- (1) appropriate staff be authorized to develop a traffic calming plan in consultation with the Ward Councillor and conduct a poll of eligible householders on Bleecker Street, between Wellesley Street and Howard Street, 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 Bleecker Street, between Wellesley Street and Howard Street, 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 30 km/h on Bleecker Street, between Wellesley Street and Howard Street, 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 9, Clause 57)**

**10.71 Installation of Speed Humps – Howard Street, between Parliament Street and Sherbourne Street (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council gave consideration to a report (November 1, 2004) from the Director, Transportation Services, South District, respecting Installation of Speed Humps – Howard Street, between Parliament Street and Sherbourne Street (Toronto Centre-Rosedale, Ward 28), and recommending that this report be received for information.

On motion by Councillor Watson, the Toronto and East York Community Council recommended to City Council that:

- (1) appropriate staff be authorized to develop a traffic calming plan in consultation with the Ward Councillor and conduct a poll of eligible householders on Howard Street, between Parliament Street and Sherbourne Street, 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 Howard Street, between Parliament Street and Sherbourne Street, 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 30 km/h on Howard Street, between Parliament Street and Sherbourne Street, 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 9, Clause 58)**

**10.72 Installation of Speed Humps – Hanson Street, between Coxwell Avenue and Roseheath Avenue (Beaches-East York, Ward 32)**

The Toronto and East York Community Council gave consideration to a report (November 4, 2004) from the Director, Transportation Services, South District, respecting Installation of Speed Humps – Hanson Street, between Coxwell Avenue and Roseheath Avenue (Beaches-East York, Ward 32), and recommending that this report be received for information.

On motion by Councillor Bussin, the Toronto and East York Community Council recommended to City Council that:

- (1) appropriate staff be authorized to develop a traffic calming plan in consultation with the Ward Councillor and conduct a poll of eligible householders on Hanson Street, between Coxwell Avenue and Roseheath Avenue, 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 Hanson Street, between Coxwell Avenue and Roseheath Avenue, for traffic calming purposes generally as shown on a speed hump plan to be developed and 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 30 km/h on Hanson Street, between Coxwell Avenue and Roseheath 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 9, Clause 59)**

**10.73 Installation of Speed Humps – Dagmar Avenue, between Dundas Street East and Jones Avenue (Toronto-Danforth, Ward 30)**

The Toronto and East York Community Council gave consideration to a report (November 4, 2004) from the Director, Transportation Services, South District, respecting Installation of Speed Humps – Dagmar Avenue, between Dundas Street East and Jones Avenue (Toronto-Danforth, Ward 30), and recommending that this report be received for information.

On motion by Councillor Fletcher, the Toronto and East York Community Council recommended to City Council that:

- (1) appropriate staff be authorized to develop a traffic calming plan in consultation with the Ward Councillor and conduct a poll of eligible householders on Dagmar Avenue, between Dundas Street East and Jones Avenue, 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 Dagmar Avenue, between Dundas Street East and Jones 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 30 km/h on Dagmar Avenue, between Dundas Street East and Jones 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 9, Clause 60)**

**10.74 Installation of Modular Traffic Islands – Knight Street at Mortimer Avenue and Sammon Avenue (Beaches-East York, Ward 31)**

The Toronto and East York Community Council gave consideration to a report (November 1, 2004) from the Director, Transportation Services, South District, respecting Installation of Modular Traffic Islands – Knight Street at Mortimer Avenue and Sammon Avenue (Beaches-East York, Ward 31), and recommending that:

- (1) approval be given to narrow Knight Street as follows:
  - (a) “from a width of 8.57 metres to a width varying from 5.0 metres to 8.57 metres on the east side of Knight Street, from a point 8.0 metres north of Sammon Avenue to a point 7.0 metres further north thereof, by the installation of a precast modular traffic island, generally as shown on the attached print of Drawing No. 421F-7494, dated August 2004”;
  - (b) “from a width of 8.57 metres to a width varying from 5.0 metres to 8.57 metres on the east side of Knight Street from a point 8.0 metres south of Mortimer Avenue to a point 7.0 metres further south thereof, by the installation of a precast modular traffic island, generally as shown on the attached print of Drawing No. 421F-7595, dated September 2004”;
- (2) 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 and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 1, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 61)**

**10.75 Provision of an On-Street Loading Zone for a Disabled Person - Brenton Street, between Meighen Avenue and Victoria Park Avenue (Beaches-East York, Ward 31)**

The Toronto and East York Community Council gave consideration to a report (November 4, 2004) from the Director, Transportation Services, South District, respecting Provision of an On-Street Loading Zone for a Disabled Person - Brenton Street, between Meighen Avenue and Victoria Park Avenue (Beaches-East York, Ward 31), and recommending that:

- (1) a loading zone for a disabled person be implemented on the south side of Brenton Street, from a point 39.8 metres east of Victoria Park Avenue to a point 6 metres further east; and
- (2) 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.

The Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 4, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 62)**

**10.76 Amendments to Parking Regulations - Front Street West, south side, between York Street and Bay Street (Toronto Centre-Rosedale, Ward 28)**

The Toronto and East York Community Council gave consideration to a report (November 2, 2004) from the Director, Transportation Services, South District, respecting Amendments to Parking Regulations - Front Street West, south side, between York Street and Bay Street (Toronto Centre-Rosedale, Ward 28), and recommending that:

- (1) an on-street disabled persons loading zone be designated at all times on the south side of Front Street West, from a point 173 metres east of York Street to a point 11 metres further east thereof; 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 might be required.

On motion by Councillor Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 2, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 63)**

**10.77 Provision of a Ten Minute Maximum Parking Restriction - Elm Avenue, north side, between Mount Pleasant Road and a point Approximately 100 Metres East (Toronto Centre-Rosedale, Ward 27)**

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The Toronto and East York Community Council gave consideration to a report (November 4, 2004) from the Director, Transportation Services, South District, respecting Provision of a Ten Minute Maximum Parking Restriction - Elm Avenue, north side, between Mount Pleasant Road and a point Approximately 100 Metres East (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) the “No Parking Anytime” regulation on the north side of Elm Avenue, between Mount Pleasant Road and Sherbourne Street North, be rescinded;
- (2) the “No Parking, from 7:00 a.m. to 9:00 a.m., Except Saturdays, Sundays and Public Holidays” regulation on the north side of Elm Avenue, between Mount Pleasant Road and Glen Road, be adjusted to indicate between Sherbourne Street North and Glen Road;
- (3) parking be prohibited at all times on the north side of Elm Avenue, from:
  - (a) Mount Pleasant Road, to a point 38.8 metres east thereof;
  - (b) a point 60.4 metres east of Mount Pleasant Road to a point 22.3 metres further east thereof;
  - (c) a point 103.4 metres east of Mount Pleasant Road to Sherbourne Street North;
- (4) parking be prohibited between the hours of 9:00 a.m. to 3:00 p.m. and 4:00 p.m. of one day to 8:00 a.m. of the next following day, Monday to Friday; and at all times Saturday, Sunday and Public Holidays, on the north side of Elm Avenue, from:
  - (a) a point 38.8 metres east of Mount Pleasant Road to a point 21.6 metres further east thereof;
  - (b) a point 82.7 metres east of Mount Pleasant Road to a point 20.7 metres further east thereof;
- (5) parking be allowed for a maximum period of ten minutes, between the hours of 8:00 a.m. to 9:00 a.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday, on the north side of Elm Avenue, from:
  - (a) a point 38.8 metres east of Mount Pleasant Road to a point 21.6 metres further east thereof;
  - (b) a point 82.7 metres east of Mount Pleasant Road to a point 20.7 metres further east thereof; and

- (6) 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 Watson, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 4, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 64)**

**10.78 Implementation of a No Standing Regulation in front of Place of Worship – 45 Davenport Road, between Yonge Street and Bay Street (Toronto Centre-Rosedale, Ward 27)**

The Toronto and East York Community Council gave consideration to a report (November 5, 2004) from the Director, Transportation Services, South District, respecting Implementation of a No Standing Regulation in front of Place of Worship - 45 Davenport Road, between Yonge Street and Bay Street (Toronto Centre-Rosedale, Ward 27), and recommending that:

- (1) standing be prohibited at all times on the south side of Davenport Road, from a point opposite the west curb of McMurrich Street to a point 6.9 metres west thereof;
- (2) the existing regulations authorizing the location and operational hours of the parking machines on the south side of Davenport Road, between Yonge Street and Bay Street, be amended to exclude the section from a point opposite the west curb of McMurrich Street to a point 6.9 metres west thereof;
- (3) the existing time limit parking regulations associated with the operation of parking machines on the south side of Davenport Road, between Yonge Street and Bay Street, be amended to exclude the section from a point opposite the west curb of McMurrich Street to a point 6.9 metres west thereof; and
- (4) 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 Walker, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 5, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 65)**

**10.79 Prohibition of Parking in Front of Place of Worship – 63 Barker Avenue, between Binswood Avenue and Glebemount Avenue (Beaches-East York, Ward 31)**

The Toronto and East York Community Council gave consideration to a report (November 4, 2004) from the Director, Transportation Services, South District, respecting Prohibition of Parking in Front of Place of Worship – 63 Barker Avenue, between Binswood Avenue and Glebemount Avenue (Beaches-East York, Ward 31), and recommending that:

- (1) the “No Parking Anytime” regulation on the south side of Barker Avenue, between Coxwell Avenue and Glebemount Avenue, be rescinded;
- (2) parking be prohibited from 8:00 a.m. to 10:00 a.m., and from 3:00 p.m. to 5:00 p.m., Monday to Friday, on the south side of Barker Avenue:
  - (a) from Coxwell Avenue to a point 58 metres west of Glebemount Avenue;
  - (b) from a point 34.5 metres west of Glebemount Avenue to Glebemount Avenue;
- (3) parking be prohibited at all times on the south side of Barker Avenue, from a point 58 metres west of Glebemount Avenue to a point 34.5 metres west of Glebemount Avenue; and
- (4) 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 Davis, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 4, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 66)**

**10.80 Sale of Surplus Property – Parcel of Vacant Land at the Rear of 195 Forest Hill Road (St. Paul’s, Ward 22)**

The Toronto and East York Community Council gave consideration to a report (October 28, 2004) from the Commissioner of Corporate Services, respecting Sale of Surplus

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Property – Parcel of Vacant Land at the Rear of 195 Forest Hill Road (St. Paul’s, Ward 22), and recommending that:

- (1) the Offer to Purchase from Patricia Constance Macintosh, Mary Louise Turner and Mark Gilchrist Humphrey to purchase the City-owned land located at the rear of 195 Forest Hill Road, being part of Block D, Plan 645-E, shown as Part 5 on Sketch No. PS-2002-023 (the “Property”), in the amount of \$14,100.00 plus GST, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this Property;
- (3) 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(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Watson, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 28, 2004) from the Commissioner of Corporate Services.

**(Report 9, Clause 67)**

**10.81 Dentonia Park Community – Traffic Management Plan (Beaches - East York, Ward 31)**

The Toronto and East York Community Council gave consideration to a report (November 8, 2004) from the Director, Transportation Services, South District, respecting Dentonia Park Community – Traffic Management Plan (Beaches-East York, Ward 31), and recommending that:

- (1) a “Stop” sign be installed for southbound traffic on:
  - (a) Maryland Boulevard at Coleman Avenue;
  - (b) Avonlea Boulevard at Coleman Avenue;



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- (2) the maximum speed limit be reduced from fifty kilometres per hour to forty kilometres per hour on:
  - (a) Sibley Avenue, from Danforth Avenue to Dentonia Park Avenue;
  - (b) Sutherland Avenue, from Thyra Avenue to Victoria Park Avenue;
- (3) appropriate staff be authorized to conduct a poll of eligible householders on the following streets to determine resident support for proposed speed hump plans noted in Recommendation No. 4 below, in accordance with the City of Toronto consolidated 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:
  - (a) Dentonia Park Avenue, between Dawes Road and Thyra Avenue;
  - (b) Thyra Avenue, between Danforth Avenue and Dentonia Park Avenue;
  - (c) Eldon Avenue, between Danforth Avenue and Dentonia Park Avenue;
- (4) subject to favourable results of the poll,
  - (i) By-laws be prepared for the alteration of sections of the following roadways for traffic calming purposes as described below:
    - (a) “The construction of five speed humps on Dentonia Park Avenue, between Dawes Road and Thyra Avenue, generally as shown on the attached print of Drawing No. 421F- 7609, dated October 2004 and circulated to residents through the polling process”;
    - (b) “The construction of three speed humps on Thyra Avenue, between Dentonia Park Avenue and Danforth Avenue, generally as shown on the attached print of Drawing No. 421F- 7610, dated October 2004 and circulated to residents through the polling process”;
    - (c) “The construction of three speed humps on Eldon Avenue, between Dentonia Park Avenue and Danforth Avenue generally as shown on the attached print of Drawing No. 421F- 7608, dated August 2004 and 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 coincident with the implementation of speed humps on Dentonia Park Avenue, between Dawes Road and Thyra Avenue;
- (iv) the speed limit be reduced from fifty kilometres per hour to thirty kilometres per hour coincident with the implementation of speed humps on:
  - (a) Thyra Avenue, between Dentonia Park Avenue and Danforth Avenue;
  - (b) Eldon Avenue, between Dentonia Park Avenue and Danforth Avenue; and
- (5) 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 Davis, the Toronto and East York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 8, 2004) from the Director, Transportation Services, South District.

**(Report 9, Clause 68)**

**10.82 Study Respecting Proposed or Pending Acquisition of Land for Municipal or Local Board Purposes.in Ward 18 (Davenport, Ward 18)**

On motion by Councillor Giambrone, the Toronto and East York Community Council:

- (i) approved the introduction of a communication from Councillor Giambrone; and
- (ii) adopted the motion moved by Councillor Giambrone and in so doing issued confidential instructions to staff to report back to a future meeting of the Toronto and East York Community Council.

**(Report 9, Clause 69(n))**

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The Committee adjourned its meeting at 8:35 p.m.

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Chair

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Attendance

November 16, 2004	9:30 a.m. – 12:30 p.m.	2:00 p.m. – 8:35 p.m.
Councillor Rae (Chair)		
Councillor McConnell (Vice-Chair)	x	x
Councillor Bussin	x	x
Councillor Chow	x	
Councillor Davis	x	x
Councillor Fletcher	x	
Councillor Giambrone	x	x
Councillor Mihevc	x	x
Councillor Ootes	x	x
Councillor Pantalone		
Councillor Walker	x	x
Councillor Watson	x	x
Mayor Miller		

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