

THE CITY OF TORONTO

City Clerk's Division

Minutes of The Midtown Community Council

Meeting No. 9

Tuesday, October 23, 2001

The Midtown Community Council met on Tuesday, October 23, 2001 in the Council Chambers, North York Civic Centre, Toronto, commencing at 9:40 a.m.

Members Present:

Councillor Michael Walker, Chair
Councillor Joanne Flint, Vice-Chair
Councillor Anne Johnston
Councillor Joe Mihevc
Councillor Denzil Minnan-Wong
Councillor Jane Pitfield

Confirmation of Minutes.

On motion by Councillor Pitfield, the Minutes of the meeting of the Midtown Community Council held on September 12, 2001, were confirmed.

**9.1 Strathearn Road - Between Gloucester Grove
and Dewbourne Avenue - Speed Hump.
(St. Paul's - Ward 21)**

At this point in the proceedings, the Midtown Community Council held a public hearing in accordance with the Municipal Act. Notice with respect to the proposed enactment of the draft by-law was advertised in a daily newspaper on October 1, 8, 15 and 22, 2001.

The Midtown Community Council had before it a Draft By-law, submitted by the City Solicitor, respecting the alteration of Strathearn Road between Dewbourne Avenue and Gloucester Grove by the installation of a speed hump.

The Midtown Community Council also had before it the following report and communication:

- (i) (October 1, 2001) from the Director, Transportation Services, District 1, reporting on the results of a speed hump poll of residents of Strathearn Road, between

Gloucester Grove and Dewbourne Avenue; advising that there are no financial implications resulting from the receipt of this report; and recommending that this report be received for information; and

- (ii) Clause No. 15 of Report No. 5 of the Midtown Community Council, titled "Cedarvale Traffic Issues (St. Paul's - Ward 21)" which was adopted, without amendment, by the Council of the City of Toronto at its meeting held on June 26, 27 and 28, 2001.

Paul Pascal appeared before the Midtown Community Council in support of the installation of a speed hump.

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council that a by-law in the form of the draft by-law be enacted.

(Clause No. 1, Report No. 8)

9.2 Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 124 Heath Street West. (St. Paul's - Ward 22)

The Midtown Community Council had before it a report (August 23, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to permit front yard parking at 124 Heath Street West, which does not meet the requirements of the Code; advising that there are no financial implications resulting from the adoption of the report; and recommending that:

- (1) City Council deny the application for front yard parking at 124 Heath Street West;
or
- (2) City Council approve driveway widening at 124 Heath Street West, as shown on Appendix 'A', notwithstanding that the mutual driveway exceeds 2.6 m in width, subject to:
 - (a) the parking area not exceeding 2.1 m by 5.37 m in dimension;
 - (b) the parking area being paved with semi-permeable paving materials, such

as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services;

- (c) the existing veranda steps be relocated to facilitate construction of the parking pad; and
- (d) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code;

or

- (3) City Council approve the application for front yard parking at 124 Heath Street West, as shown on Appendix 'B', notwithstanding that there is an existing driveway and parking on-site and that the required landscaped space would not be provided, subject to:
 - (a) a formal poll being conducted and that such poll have a favourable result;
 - (b) the parking area not exceeding 2.6 m by 5.9 m in dimension;
 - (c) the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
 - (d) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code.

The Midtown Community Council also had before it the following communications:

- (i) (September 10, 2001) from Catherine A. Lyons, Goodmans, requesting that the matter be deferred until the October Community Council meeting;
- (ii) (September 11, 2001) from Diana Wessels, objecting to front yard parking at 124 Heath Street West; and
- (iii) (not dated) from Frank Felkai, objecting to front yard parking at 124 Heath Street West.

Councillor Walker appointed Councillor Flint Acting Chair and vacated the Chair.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the request for exemption from Chapter 400 of the former City of Toronto Municipal Code to permit front yard parking at 124 Heath Street West be refused.

Councillor Walker resumed the Chair.

(Clause No. 2, Report No. 8)

**9.3 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal Code
to Permit Driveway Widening for Two Vehicles
at 174 Broadway Avenue.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (October 2, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 174 Broadway Avenue, which does not meet the requirements of the Code; advising that there are no financial implications resulting from the adoption of the report; and recommending that:

- (1) City Council deny the application for driveway widening for two vehicles at 174 Broadway Avenue;
- or
- (2) City Council approve the application for driveway widening for two vehicles at 174 Broadway Avenue, subject to:
 - (a) the parking area for each space not exceeding 2.2 m by 5.5 m in dimension;
 - (b) the parking area for the space adjacent to the existing driveway being paved with semi-permeable material such as ecostone or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and

- (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code;
- or
- (3) City Council approve the application for driveway widening for two vehicles at 174 Broadway Avenue, notwithstanding that the existing paving does not meet the City's existing paving specifications, and subject to:
 - (a) the parking area for each space not exceeding 2.2 m by 5.5 m in dimension; and
 - (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

Sandra Shuman, on behalf of the owner, appeared before the Midtown Community Council in connection with the foregoing matter.

On motion by Councillor Flint, the Midtown Community Council recommended to Council adoption of Recommendation No. 2 of the foregoing report, as amended to provide that the landscaping design be subject to approval by Urban Design staff.

(Clause No. 3, Report No. 8)

**9.4 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal
Code to Permit Driveway Widening
at 176 Broadway Avenue.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (October 2, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 176 Broadway Avenue, which does not meet the requirements of the Code; advising that there are no financial implications resulting from the adoption of the report; and recommending that:

- (1) City Council deny the application for driveway widening at 176 Broadway Avenue;

or

- (2) City Council approve the application for driveway widening at 176 Broadway Avenue, notwithstanding that the mutual driveway exceeds 2.6 m in width, and subject to:
 - (a) the parking area being paved with semi-permeable material such as ecostone or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services;
 - (b) the parking area not exceeding 2.6 m by 5.9 m in dimension; and
 - (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

Sandra Shuman, on behalf of the owner, appeared before the Midtown Community Council in connection with the foregoing matter.

On motion by Councillor Flint, the Midtown Community Council recommended to Council adoption of Recommendation No. 2 of the foregoing report, as amended to provide that the landscaping design be subject to approval by Urban Design staff'.

(Clause No. 4 , Report No. 8)

9.5 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 18 Hoyle Avenue. (St. Paul's - Ward 22)

The Midtown Community Council had before it a report (October 2, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 18 Hoyle Avenue, which does not meet the requirements of the Code; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

Midtown Community Council Minutes
Tuesday, October 23, 2001

- (1) City Council deny the application for angled driveway widening at 18 Hoyle Avenue, as shown on Appendix 'B';

or
- (2) City Council approve the request to permit angled driveway widening at 18 Hoyle Avenue, as shown on Appendix 'A', subject to:
 - (a) the parking area not exceeding 2.6 m by 5.9 m; and
 - (b) the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services;
 - (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code;
or
- (3) City Council approve the request to permit angled driveway widening at 18 Hoyle Avenue, as shown on Appendix 'B', notwithstanding that the required 2.0 m setback will not be provided, and subject to:
 - (a) the parking area not exceeding 2.6 m by 5.9 m in dimension; and
 - (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code;
or
- (4) City Council approve the request to permit perpendicular driveway widening at 18 Hoyle Avenue, as shown on Appendix 'C', notwithstanding that the required 2.0 m setback will not be provided, and subject to:
 - (a) the parking area not exceeding 2.6 m by 5.6 m in dimension; and
 - (b) the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services;

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

Raymond Miller appeared before the Midtown Community Council in connection with the foregoing matter.

Councillor Walker appointed Councillor Flint Acting Chair and vacated the Chair.

On motion by Councillor Walker, the Midtown Community Council recommended to Council adoption of Recommendation No. (3) of the foregoing report.

Councillor Walker resumed the Chair.

(Clause No. 5 , Report No. 8)

**9.6 Request for an Exemption from Chapter 248 -
Parking Licences, of the Former City of
Toronto Municipal Code to Permit Driveway
Widening at 11 Old Orchard Grove.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a report (October 3, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 11 Old Orchard Grove, which does not meet the requirements of the Code; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council deny the application for driveway widening for two vehicles at 11 Old Orchard Grove;
- or
- (2) City Council approve the application for driveway widening for two vehicles at 11 Old Orchard Grove, subject to:
 - (a) the parking area for each space not exceeding 2.0 m by 5.0 m; and

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

On motion by Councillor Johnston, the Midtown Community Council recommended to Council adoption of Recommendation No. (2) of the foregoing report.

(Clause No. 6, Report No. 8)

**9.7 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal Code
to Permit Driveway Widening at 122 Old Orchard Grove.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a report (October 3, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 122 Old Orchard Grove, which does not meet the requirements of the Code; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council deny the application for driveway widening for two vehicles at 122 Old Orchard Grove;
- or
- (2) City Council approve the application for driveway widening for two vehicles at 122 Old Orchard Grove, as shown on Appendix 'A', subject to:
- (a) the parking area for each space not exceeding 2.5 m by 5.5 m in dimension; and
- (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code;

or

- (3) City Council approve the application for angled driveway widening for two vehicles at 122 Old Orchard Grove, as shown on Appendix 'B', notwithstanding that the required setback will not be provided, subject to:
- (a) the parking area for each space not exceeding 2.2 m by 5.0 m in dimension; and
 - (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

Wayne Kahn appeared before the Midtown Community Council in connection with the foregoing matter and submitted photographs.

On motion by Councillor Johnston, the Midtown Community Council deferred consideration of the foregoing report for one month to allow the applicant to consult with Urban Development Services staff with respect to landscaping.

(Manager, Right of Way Management, Transportation Services, District 1; Director, Community Planning, North District, Attention Leo Desorcy; c. Wayne Kahn - October 25, 2001)

(Clause No. 34(a), Report No. 8)

9.8 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 221 Belsize Drive. (St. Paul's - Ward 22)

The Midtown Community Council had before it a report (October 4, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 221 Belsize Drive, which does not meet the requirements of the Code; advising that there are no financial implications; and recommending that:

- (1) City Council deny the application for driveway widening for two vehicles at 221 Belsize Drive;

or

- (2) City Council approve the application for driveway widening for two vehicles at 221 Belsize Drive, as shown on Appendix 'A', notwithstanding that it does not meet the physical requirements of the Code, subject to:
- (a) the parking area for the second space not exceeding 1.7 m by 4.3 m in dimension;
 - (b) the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
 - (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

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

- Sandra Kalpoyzos; and
- John Kalpoyzos.

Councillor Walker appointed Councillor Flint Acting Chair and vacated the Chair.

On motion by Councillor Walker, the Midtown Community Council recommended to Council adoption of Recommendation No. 2, of the foregoing report, viz:

- “(2) City Council approve the application for driveway widening for two vehicles at 221 Belsize Drive, as shown on Appendix 'A', notwithstanding that it does not meet the physical requirements of the Code, subject to:
- (a) the parking area for the second space not exceeding 1.7 m by 4.3 m in dimension;

- (b) the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
- (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.”

Councillor Walker resumed the Chair.

(Clause No. 7, Report No. 8)

**9.9 Request for an Exemption from Chapter 400
of the Former City of Toronto Municipal Code
to Permit Front Yard Parking at 55 Duggan Avenue.
(St. Paul’s - Ward 22)**

The Midtown Community Council had before it a report (October 9, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to permit front yard parking at 55 Duggan Avenue, which does not meet the requirements of the Code; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council deny the application for front yard parking at 55 Duggan Avenue;

or
- (2) City Council approve the application for front yard parking at 55 Duggan Avenue, subject to:
 - (a) the parking area not exceeding 2.6 m by 5.9 m in dimension;

- (b) the area being paved with a semi-permeable paving material, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
- (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code.

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

- Kalju Jogi; and
- Cathie Macdonald

Councillor Walker appointed Councillor Flint Acting Chair and vacated the Chair.

On motion by Councillor Walker, the Midtown Community Council recommended to Council adoption of Recommendation No. 2, of the foregoing report, viz:

- “(2) City Council approve the application for front yard parking at 55 Duggan Avenue, subject to:
 - (a) the parking area not exceeding 2.6 m by 5.9 m in dimension;
 - (b) the area being paved with a semi-permeable paving material, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
 - (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic

and Parking, of the former
City of Toronto Municipal
Code.”

Councillor Walker resumed the Chair.

(Clause No. 8, Report No. 8)

**9.10 Laneway at Rear of Premises No. 947 Eglinton
Avenue West (Open Window Health Bread Bakery)
- Request to Rescind the “No Stopping at Anytime”
Prohibition in Order to Facilitate Deliveries.
(St. Paul’s - Ward 21)**

The Midtown Community Council had before it a report (October 5, 2001) from the Director, Transportation Services, District 1, reporting on a request to rescind the “No Stopping at Anytime” prohibition currently in effect in the laneway at the rear of the Premises No. 947 Eglinton Avenue West (Open Window Health Bread Bakery) in order to facilitate deliveries; advising that there are no financial implications resulting from the adoption of this report; and recommending that subject to the owner of Premises No. 947 Eglinton Avenue West making a successful application to the Committee of Adjustment to rescind the condition imposed in 1983 which prohibits loading in the laneway at the rear of this property, that the appropriate City officials be authorized to submit the appropriate Bill in Council to replace the existing “No Stopping” regulation with a “No Parking” regulation in the laneway at the rear of Premises No. 947 Eglinton Avenue West, in order to accommodate loading activities.

The Midtown Community Council also had before it a petition signed by approximately 240 residents in support of the removal of the sign prohibiting loading.

David Zeldin appeared before the Midtown Community Council in connection with the foregoing matter and submitted a petition signed by approximately 22 residents opposed to the removal of the sign prohibition.

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council that the owner of 947 Eglinton Avenue West be formally advised that an application to the Committee of Adjustment to rescind the condition imposed in 1983 which prohibits loading in the laneway at the rear of this property must be made before any changes to parking can occur, and that the issue of parking in the laneway be revisited if and when that occurs.

(Clause No. 9 , Report No. 8)

9.11 Proposed Installation of Traffic Control Signals - Bathurst Street and Vaughan Road/Helen Avenue. (St. Paul's - Ward 21)

The Midtown Community Council had before it a report (October 5, 2001) from the Director, Transportation Services, District 1, responding to a request from Midtown Community Council to bring forward previous reports on the feasibility of installing traffic lights the intersection of Bathurst Street and Vaughan Road/Helena Avenue; advising that there are no financial implications resulting from the adoption of this report; and recommending that this report be received for information.

On motion by Councillor Mihevc, the Midtown Community Council deferred consideration of this matter for one year to allow staff to evaluate and report back on the effectiveness of the sidewalk widening at Vaughan Road/Bathurst Street and the feasibility of installing a crosswalk on Bathurst Street south of St. Clair Avenue West at Helena Avenue.

(Director, Transportation Services, District 1; c. Manager, Traffic Operations, District - October 25, 2001)

(Clause No. 34(b), Report No. 8)

**9.12 Eglinton Avenue West at Flanders Road
and at Westover Hill Road - Request
to Adjust Northbound Left-Turn Prohibition Times.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it a report (October 3, 2001) from the Director, Transportation Services, District 1, reporting on a request from the Midtown Community Council to permit left-hand turns from Flanders Road on to Eglinton Avenue West for one of the two rush-hour periods and to restrict left-hand turns from Westover Hill Road onto Eglinton Avenue West for the same rush-hour period; advising that there are no financial implications resulting from the receipt of this report; and recommending that this report be received for information.

On motion by Councillor Mihevc, the
Midtown Community Council received the
foregoing report.

(Clause No. 34 (c), Report No. 8)

**9.13 Acores Avenue Between Ossington Avenue
and Shaw Street and Minho Boulevard -
from Acores Avenue to Shaw Street -
Various Traffic Issues.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it report (October 5, 2001) from the Director, Transportation Services, District 1, reporting on a number of initiatives to improve the general traffic operations on Minho Boulevard and Acores Avenue; advising that funds to cover the cost of materials required to implement the necessary signage adjustments in the estimated amount of \$1,400.00 are available within the Transportation Services Division 2001 Operating Budget; and recommending that:

- (1) parking be prohibited at anytime on the north and west sides of Minho Boulevard, from Acores Avenue to Shaw Street;
- (2) parking be prohibited at anytime on the north side of Acores Avenue, from Ossington Avenue to Shaw Street;
- (3) a "Stop" sign be introduced for southbound motorists on Minho Boulevard, at its intersection with Acores Avenue;

- (4) the maximum speed limit be reduced from 50 kilometres per hour to 40 kilometres per hour on Minho Boulevard, between Açores Avenue and Shaw Street;
- (5) the maximum speed limit be reduced from 50 kilometres per hour to 40 kilometres per hour on Açores Avenue, between Ossington Avenue and Shaw Street; 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 Mihevc, the Midtown Community Council recommended to Council adoption of the foregoing report, and further, requested the Director, Transportation Services, District 1, in consultation with the Ward Councillor to submit a further report to the Midtown Community Council on the feasibility of allowing parking on the west side of Shaw Street to be consistent with the broader area and, if parking is deemed acceptable, that staff undertake polling to determine majority support for on-street permit parking.

(Director, Transportation Services, District 1; c. Councillor Mihevc; Manager, Traffic Operations, District 1 - October 25, 2001)

(Clause No. 10, Report No. 8)

**9.14 Eglinton Avenue West and Old Forest Hill Road
- Request to Alter the Intersection by
Constructing a Throat Narrowing on the
Southwest Corner.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it a report (October 2, 2001) from the Director, Transportation Services, District 1, reporting on a request from the Midtown Community Council to construct a throat narrowing on the southwest corner of the intersection of Eglinton Avenue West and Old Forest Hill Road; advising that there are

no financial implications resulting from the receipt of this report; and recommending that this report be received for information.

On motion by Councillor Mihevc, the Midtown Community Council received the foregoing and requested the Director, Transportation Services, District 1, to report to the Midtown Community Council on the feasibility of the throat at the southwest corner of the intersection of Eglinton Avenue West and Old Forest Hill Road being “pinched” as much as possible without creating any safety hazards.

(Director, Transportation Services, District 1; c. Manager, Traffic Operations, District 1; Interested Persons - October 25, 2001)

(Clause No. 34(d), Report No. 8)

**9.15 Eglinton Avenue West Between Flanders Road
and Westover Hill Road - Review Operations
of the Mid-Block Pedestrian Signal.
(St. Paul’s - Ward 21)**

The Midtown Community Council had before it a report (October 3, 2001) from the Director, Transportation Services, District 1, responding to a request from the Midtown Community Council to report on ways to improve the mid-block pedestrian signal located on Eglinton Avenue West, between Flanders Road and Westover Hill Road; advising that there are no financial implications resulting from the receipt of this report; and recommending that this report be received for information.

On motion by Councillor Mihevc, the Midtown Community Council received the foregoing report.

(Clause No. 34(e), Report No. 8)

**9.16 Changes to Front Yard Parking Regulation
in St. Paul's - Ward 22.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (October 9, 2001) from the Director, Transportation Services, District 1, reporting on changes to the front yard parking regulations in St. Paul's, Ward 22; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council approve the changes to the front yard parking regulations in St. Paul's, Ward 22, so as to unify the regulations in this ward as described in the body of this report; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Councillor Walker appointed Councillor Flint Acting Chair and vacated the Chair.

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

Councillor Walker resumed the Chair.

(Clause No. 11, Report No. 8)

**9.17 Prohibited U-Turns - Don Mills Road
at the Donway West (North Leg).
(Don Valley West - Ward 25, Don Valley East - Ward 34)**

The Midtown Community Council had before it a report (October 9, 2001) from the Director, Transportation Services, District 3, reporting on prohibiting "U" turns for northbound traffic on Don Mills Road at The Donway West (north leg); advising that all costs associated with the installation of the turn restrictions are included within the District 3 Transportation Services Division's Operating Budget; and recommending that Schedule XV of By-law No. 32-92 for the former Municipality of Metropolitan Toronto, be amended to prohibit northbound "U" turns on Don Mills Road at The Donway West (north leg).

On motion by Councillor Flint, the Midtown Community Council recommended to Council adoption of the foregoing report.

(Clause No. 12, Report No. 8)

**9.18 All Way Stop Control - Brookdale Avenue
and Grey Road.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a report (October 5, 2001) from the Director, Transportation Services, District 3, commenting on the feasibility of installing an all way stop control at the intersection of Brookdale Avenue and Grey Road; advising that there are no financial implications resulting from the adoption of this report; and recommending that this report be received for information.

Michael Marcello appeared before the Midtown Community Council in connection with the foregoing matter.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council the installation of an all-way stop control at the intersection of Brookdale Avenue and Grey Road, and that appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(Clause No. 13, Report No. 8)

**9.19 Turn Restrictions and Parking Prohibitions
- Old Yonge Street and York Mills Road.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (October 9, 2001) from the Director, Transportation Services, District 3, reporting on prohibiting southbound left turns from Old Yonge Street onto York Mills Road and to prohibit parking at anytime on both sides of Old Yonge Street, from York Mills Road to a point 30 metres north; advising that costs associated with the installation of the turn restrictions and parking prohibitions are included within the District 3 Transportation Services, Division's Operating Budget; and recommending that:

- (1) schedule XV of By-law No. 31001, of the former City of North York be amended to prohibit southbound left turns at anytime from Old Yonge Street to York Mills Road;
- (2) schedule VIII of By-law No. 31001, of the former City of North York be amended by deleting the parking prohibition, from 9:00 a.m. to 3:00 p.m., Monday to Friday, on both sides of Old Yonge Street, from the southerly limit of Don Ridge Drive to the northerly limit of York Mills Road;
- (3) schedule VIII of By-law No. 31001, of the former City of North York be amended by prohibiting parking on both sides of Old Yonge Street, from 9:00 a.m. to 3:00 p.m., Monday to Friday, from the southerly limit of Don Ridge Drive to a point 30 metres north of the northerly limit of York Mills Road; and
- (4) schedule VIII of By-law No. 31001, of the former City of North York be amended by prohibiting parking at anytime on both sides of Old Yonge Street, from the northerly limit of York Mills Road to a point 30 metres northerly thereof.

On motion by Councillor Flint, the Midtown
Community Council recommended to
Council adoption of the foregoing report.

(Clause No. 14, Report No. 8)

**9.20 Request for an Exemption from Chapter 313
of the Former City of Toronto Municipal
Code to Permit Residential Boulevard
Parking for Two Vehicles on the Rosewell
Avenue Flank of 175 Glencairn Avenue.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a report (October 9, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, to permit residential boulevard parking for two vehicles on the Rosewell Avenue flank of 175 Glencairn Avenue, which does not meet the requirements of the Code; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council deny the request for residential boulevard parking for two vehicles on the Rosewell Avenue flank of 175 Glencairn Avenue;

or

- (2) City Council approve the request for residential boulevard parking for two vehicles on the Rosewell Avenue flank of 175 Glencairn Avenue, subject to:
- (a) the parking area for each space not exceeding 2.6 m by 5.9 m in dimension;
 - (b) the existing asphalt paving being removed and the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent paving treatment acceptable to the Commissioner of Works and Emergency Services;
 - (c) a formal poll being conducted and that such a poll have a favourable result; and
 - (d) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code.

or

- (3) City Council, approve the request for residential boulevard parking for two vehicles on the Rosewell Avenue flank of 175 Glencairn Avenue, notwithstanding that the existing asphalt surface does not meet the City's current paving specifications and subject to:
- (a) the parking area for each space not exceeding 2.6 m by 5.9 m in dimension;
 - (b) a formal poll being conducted and that such a poll have a favourable result; and
 - (e) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code.

Bill Dolan, Wm. J. Dolan Planning Consultants Ltd., on behalf of the applicant, appeared before the Midtown Community Council in connection with the foregoing matter.

On motion by Councillor Johnston, the
Midtown Community Council:

- (1) recommended to Council adoption of Recommendation No. (3); and

- (2) requested the Manager, Right of Way Management, Transportation Services, District 1 to include with future reports of this nature, proposed landscaping plans satisfactory to the Commissioner, Urban Development Services.

(Manager, Right of Way Management, Transportation Services, District 1; c. Commissioner, Urban Development Services; Director, Community Planning, North District, Attention Leo Desorcy - October 25, 2001)

(Clause No. 15, Report No. 8)

**9.21 67 Bannockburn Avenue, Toronto.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a report (September 11, 2001) from the North District Manager, Municipal Licensing and Standards and Court Services, responding to a request from Ian W. Yeo, spouse of the owner of 67 Bannockburn Avenue, for an exemption to the Fence By-law No. 472-2000 (now Chapter 447 of the Toronto Municipal Code); advising that there are no financial implications with regard to this matter; and recommending that:

- (1) the fence on private property within 2.4 metres of the front lot line be lowered to 1.0 metres; and
- (2) the fence on private property between 2.4 metres and 3.0 metres of the front lot line be lowered to 1.2 metres.

The Midtown Community Council also had before it the following communications:

- (i) (not dated) from Ian Yeo, requesting that the request for exemption be withdrawn; and
- (ii) (October 19, 2001) from Robert Kleiman, advising that he intends to comply with the by-law and conclusions contained within the staff report.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council adoption of the foregoing report.

(Clause No. 16, Report No. 8)

9.22 Request for Exemption from the Former Borough of East York Noise By-law No. 71-89 from MacLaren Momentum Agent for the Future Shop - 845 Eglinton Avenue East to Permit the Emission of "Noise" Beyond the Permitted Time(s). (Don Valley West - Ward 26)

The Midtown Community Council had before it a report (October 3, 2001) from the Commissioner, Urban Development Services, seeking approval for an exemption to the provisions of former Borough of East York By-law No. 71-89; advising that the applicant is proposing an event to launch a software product line to be held on November 14, 2001; that the event will begin at 5:00 p.m. and end at 3:00 a.m. on November 15, 2001; this time frame includes the set-up and tear-down of all equipment; further advising that there are no financial implications; and recommending that: Council grant an exemption to Noise By-law No. 71-89, to The Future Shop for their proposed outdoor event to promote the launch of a new software product line scheduled for Wednesday November 14, 2001, subject to the following conditions:

- (i) no amplified sound after 12 midnight;
- (ii) all continuing activities to be restricted to the inside of the premises ; and
- (iii) tear down of event, tent, and all other equipment shall be done by hand and shall not employ the use of an mechanical equipment that may emit noise, unless conducted after 7:00 am on November 15, 2001.

On motion by Councillor Pitfield, the Midtown Community Council recommended to Council adoption of the foregoing report, subject to adding the following further condition:

- “(iv) the applicant notifying residents, within a 100 metre radius of the subject site, about the

proposed event and
the foregoing
conditions.”

(Clause No. 17, Report No. 8)

**9.23 Assaggio Ristorante - Operation of the
Boulevard Cafe During the 2001 Cafe
Season - Fronting 2711 Yonge Street.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (September 28, 2001) from the District manager, Municipal Licensing and Standards, reporting on the operation of the boulevard café located at the front of 2711 Yonge Street during the 2001 season, as requested by City Council; advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council approve the continuation of the licence for the boulevard café located at 2711 Yonge Street.

On motion by Councillor Flint, the Midtown
Community Council recommended to
Council adoption of the foregoing report.

(Clause No. 18, Report No. 8)

**9.24 Savorie Restaurant - Operation of the
Boulevard Cafe During the 2001 Season
- on the Montclair Avenue Flank of
390 Spadina Road.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it a report (September 28, 2001) from the District Manager, Municipal Licensing and Standards, reporting on the operation of the boulevard café, located on the Montclair Avenue flank of 390 Spadina Road during the 2001 season, as requested by City Council; advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council approve the continuation of the licence for the boulevard café located on the Montclair Avenue flank of 390 Spadina Road, with the same terms and conditions as previously approved by Council, i.e. the patio being closed by 9:30 p.m. and there being no outdoor music.

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council adoption of the foregoing report as amended to provide that the patio be closed by 10:00 p.m.

(Clause No. 19, Report No. 8)

**9.25 Proposal to Rename Wells Hill Park to Douglas Wells Park.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it a report (September 27, 2001) from the Commissioner, Economic Development, Culture and Tourism, responding to the April 3, 2001 request by Midtown Community Council for the Department to consider renaming Wells Hill Park to Douglas Wells Park; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) Wells Hill Park not be renamed due to the historical significance of being named after the late Colonel Joseph Wells;
- (2) members of the Hillcrest Community continue to explore opportunities to honour Mr. Douglas Wells; and
- (3) the appropriate City Official be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council adoption of the foregoing report.

(Clause No. 20, Report No. 8)

**9.26 Sign Permit and Variance Application Fee Harmonization.
(All Wards)**

The Midtown Community Council had before it a communication (October 9, 2001) from the City Clerk, forwarding Clause No. 6 contained in Report No. 10 of the Planning and Transportation Committee, headed "Sign Permit and Variance Application Fee Harmonization", which was adopted, as amended, by the Council of the City of Toronto

Midtown Community Council Minutes
 Tuesday, October 23, 2001

at its meeting held on October 2, 3 and 4, 2001; and noting that Council directed that the Clause be forwarded to Community Councils for consideration and comment to the Planning and Transportation Committee.

On motion by Councillor Flint, the Midtown Community Council recommended to the Planning and Transportation Committee adoption of the proposed By-law to adjust sign permit fees and variance fees as outlined in the report (September 5, 2001) from the Commissioner, Urban Development Services.

(Planning and Transportation Committee - October 24, 2001)

(Clause No. 34(f), Report No. 8)

**9.27 Appointment to Leaside Gardens
 Board of Management.
 (Don Valley West - Ward 26)**

The Midtown Community Council had before it a communication (September 28, 2001) from the General Manager, Leaside Memorial Community Gardens recommending that Mrs. Caroline R. Mildon be appointed to the Leaside Gardens Board of Management, as a member of the Board to replace Ms. Liz French.

On motion by Councillor Pitfield, the Midtown Community Council recommended to Council that Mrs. Caroline R. Mildon be appointed to the Leaside Gardens Board of Management to replace Ms. Liz French.

(Clause No. 21, Report No. 8)

**9.28 Parkside Condominiums - Mount Pleasant
 - Davisville Public Art Project.
 (St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (October 5, 2001) from the Commissioner, Urban Development Services, informing Council of the Parkside

Condominiums - Mount Pleasant - Davisville Public Art Project and seeking approval of the recommendation from the Public Art Commission; advising that costs associated with this public art project are the responsibility of the Greenco Project Management Inc. ; advising that the art is commissioned by the owners and will be sited on publicly accessible areas on, or in the vicinity of the development; and recommending that the Midtown Community Council approve the proposed Parkside Condominiums - Mount Pleasant - Davisville Public Art Project, as presented by the owner.

Councillor Walker appointed Councillor Flint Acting Chair and vacated the Chair.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the proposed Parkside Condominiums - Mount Pleasant - Davisville Public Art Project, as presented by the owner, be approved.

Councillor Walker resumed the Chair.

(Clause No. 22, Report No. 8)

**9.29 Final Report - Application to Amend
the Official Plan and Zoning By-law No. 438-86
- 319 Merton Street.
(St. Paul's - Ward 22)**

At this point in the proceedings, the Midtown Community Council held a public meeting in accordance with the Planning Act and notice of this meeting was given pursuant to sections 17(15(c) and 34(12) of the Planning Act.

The Midtown Community Council had before it a report (October 5, 2001) from the Director, Community Planning, South District, reviewing and recommending approval of an application to amend the Official Plan and the Zoning By-law for a 255 unit apartment building at 319 Merton Street; advising that there are no financial implications resulting from the adoption of this report; 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 Appendix B;
- (2) amend Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Appendix C;

Midtown Community Council Minutes
Tuesday, October 23, 2001

- (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 and to introduce Bills in Council to give effect thereto;
- (4) require that, before introducing the necessary Bills to City Council for enactment, the owner enter into an agreement authorized under Section 37 of the Planning Act;
- (5) require that, before introducing the necessary Bills to City Council for enactment, the applicant enter into a Site Plan Undertaking with the Commissioner of Urban Development Services, under Section 41 of the Planning Act;
- (6) authorize the City Solicitor to introduce a Bill in Council exempting the site from the Parks Levy By-law following conveyance to the City of the lands contiguous to the Belt Line Park; and
- (7) give no further notice of public meeting for the draft By-laws, as amended.

The Midtown Community Council also had before it the following communications:

- (i) (October 9, 2001) from Paul and Nancy Audley, opposing the proposed development at 319 Merton Street;
- (ii) (October 16, 2001) from Robin Kissack, objecting to the proposed development at 319 Merton Street; and
- (iii) form letter (October 9, 2001) from the following persons in opposition to the proposed development:

Robin Kissack;
Marge Poole;
Michelle B. Gamon;
Hazel HiCnie;
George Koussa;
Lisa Smole;
Dolores Boundy;
Elizabeth Bidnake;
George Takacs;
Victoria Swistun;
Irene Racz;
Lillian Pearson;
Linda LaRocque;
Kenna Paul;
Cheryl Moir;

Midtown Community Council Minutes
Tuesday, October 23, 2001

Pamela Cook;
Jane Diplock;
Neil Fleischman;
Karen Dow;
Charles W. Pynn;
Joyce Presinal;
A. D. Sandy Thompson;
Risa Sone;
Linda Music;
Joan E. McAslan;
Lucie Gaulin;
Carol Burke;
Brenda Dudok Van Heel;
Tracey Millar;
Maryanne and Jeff Smith;
Bruce Roberts;
Tanya and Jerome Vanderklaauw;
Chris Ovsenny;
Debbie Ovsenny;
Joe Unelli;
Ann Wheele;
Tihomir Miric;
Mira Miric;
Elaine Spicer;
Serge Leonard;
Moshe Ifergan;
Julian Paine;
Paul Rotz;
Fay Chang;
Sarah Mitchell;
Shahnaz Khan;
Ciara Superville;
Greg Armstrong;
Tom Hendrikson;
Pam Portsmouth;
Robert Turnbull;
Anne Marie Callwaert;
Robin Armstrong;
David W. Fleck;
Wendy Duggan;
Ann MacNeil;
Cliff Orr;
Marion Orr;
Susan Ardabili;

Midtown Community Council Minutes
Tuesday, October 23, 2001

Vanessa Norris;
Donna Armstrong;
Shirley Graham;
K. D. Beadle;
Jennifer Nelson;
Philip Hooper;
Joanne Drogemuller;
Win Noonan;
Doreen Sloggett;
Norman Bruce;
Helene Liaskos;
Jeanne I. Arnold;
J. E. Sullivan;
Donna Sullivan;
Olga Vuckovic;
Rick Parsons;
Sarah Parsons;
Harry C. H. Russell;
Denise Chafe;
Penelope Chapman;
Craig Holmes;
Kevin Fox;
Sandra Harris;
Phyllis Bennett;
David Thornton;
Carrie Penner;
Sharron Whitfield;
Virgil and Dana Hacuta;
Daniel Redican;
Carol Commisso;
Dejan Bojic;
Dragana Kaplarevic;
Ed and Madeleine Callway;
Darlene Stafford;
B. Woollam;
Barbara Fortier;
Wendy Tamminen;
David Ramotar;
Peter and Christine Till;
Patricia Little;
Patricia Collins;
Badil Bunting; and
Sidney Body.

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

- Andrew Paton, Solicitor, on behalf of the applicant;
- Robin Kissack;
- Serge Leonard;
- Linda LaRocque, and submitted a written brief;
- Wendy Duggan;
- Reg Watson; and
- Andrew Bigauskas, Architect, on behalf of the applicant.

Councillor Walker appointed Councillor Flint Acting Chair and vacated the Chair.

- (A) Councillor Walker moved adoption of the foregoing report.

Councillor Walker resumed the Chair.

- (B) Councillor Flint moved, in amendment, that Appendix C 1(b), be amended to read: “259 parking spaces be provided in accordance with section 4 (4)(b) of the Zoning By-law”.
- (C) Councillor Pitfield moved that Transportation Services staff of the Works and Emergency Services Department be requested to conduct a study of Merton Street, Mount Pleasant Road and other streets in the effected area after the development has been completed and that the applicant be required to pay for such study.
- (D) Councillor Mihevc moved that staff be requested to report directly to Council on the foregoing motion (B) by Councillor Flint.
- (E) Councillor Pitfield moved that the matter be deferred until appropriate staff have had an opportunity to review the Developer’s traffic study.

The foregoing motions (A), (B) and (C), **carried**.

The foregoing motions (D) and (E), **failed**.

To summarize, the Midtown Community Council recommended to Council:

- (1) adoption of the report (October 5, 2001) from the Director, Community Planning, South District, subject to amending the draft Zoning By-law Amendment, attached as Appendix C by amending 1(b) to read:

“259 parking spaces be provided in accordance with section

4(4)(b) of the Zoning By-law"; and

- (2) that Transportation Services Staff of the Works and Emergency Services Department be requested to conduct a study of Merton Street, Mount Pleasant Road and other streets in the effected area after the development has been completed and that the applicant be required to pay for such study.

(Clause No. 23, Report No. 8)

**9.30 Final Report - Application for Ravine By-law
Variance/Consent - John Robert Carley
Architect Incorporated - 58 Poplar Plains
Road - File No. 001060.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (September 21, 2001) from the Director, Community Planning, South District, reviewing and recommending approval of an application for Ravine By-law Variance/Consent to allow the existing storage shed to be relocated within the boundaries of the Nordheimer Ravine at 58 Poplar Plains Road; advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council consent to Application No. 001060 respecting 58 Poplar Plains Road to permit the existing storage shed to be relocated within the boundaries of the Nordheimer Ravine.

John Carley, Architect, on behalf of the applicant, appeared before the Midtown Community Council in connection with the foregoing matter.

Councillor Walker appointed Councillor Flint Acting Chair and vacated the Chair.

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

Councillor Walker resumed the Chair.

(Clause No. 24, Report No. 8)

**9.31 Request to Amend Subdivision Agreement
- 5 Legacy Court - Lot 9 - RP 66M-2331 -
LA22 REL 01 (UDOZ-94-33 and UDSB-1221)
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (September 20, 2001) from the Director, Community Planning, North District, seeking Council's direction in response to a request from Windermere Custom Homes to amend the existing Subdivision Agreement (Schedule H) as it relates to Lot 9 on the plan (Legacy Court); advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council:

- (1) authorize the City Solicitor to amend the subdivision agreement governing Lot 9, Registered Plan 66M-2331, former City of North York, to grant the request of Windermere Custom Homes to alter the permitted building envelope by constructing a second storey addition above the garage (one storey portion) of the dwelling; and
- (2) authorize the City Solicitor and other affected City officials as appropriate do all things necessary to execute and amend the subdivision agreement between the owner and the City to grant this request.

The Midtown Community Council also had before it a communication (September 28, 2001) from Adam, J. Brown, Brown Dryer Karol, Barristers and Solicitors, requesting an opportunity to make a deputation to Midtown Community Council on behalf of their client.

Adam J. Brown, Solicitor, on behalf of the applicant, appeared before the Midtown Community Council in connection with the foregoing matter.

On motion by Councillor Flint, the Midtown
Community Council recommended to
Council adoption of the foregoing report.

(Clause No. 25, Report No. 8)

**9.32 Status Report - Focused Review of Yonge-Eglinton
Part II Plan and Application by Minto YE Inc.
for 2195 Yonge Street - Application No. 100034.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (October 3, 2001) from the Director, Community Planning, South District, providing a status report on the focused

review of the Yonge-Eglinton Part II Plan, initiated in respect of an application by Minto YE Inc. to amend the Official Plan and Zoning By-law for 2195 Yonge Street; advising that there are no financial implications resulting from the adoption of this report; and recommending that this report be received for information.

The Midtown Community Council also had before it the following communications:

- (i) (October 18, 2001) from Stephen H. Diamond, McCarthy Tetrault, requesting the opportunity to address the Midtown Community Council at 2:00 p.m.; and
- (ii) (October 22, 2001) from Councillor Michael Walker, addressed to Robert Blazeovski, Minto YE Inc.

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

- Stephen H. Diamond, Solicitor, on behalf of the applicant; and
- James Stewart, Federation of North Toronto Residents Association (FoNTRA), and submitted a written brief.

On motion by Councillor Minnan-Wong, the
Midtown Community Council received the
foregoing.

(Director, Community Planning, South District; c.
Interested Persons - October 25, 2001)

(Clause No. 34(g) , Report No. 8)

9.33 Harmonization of the Noise By-law. (All Wards)

The Midtown Community Council had before it a communication (September 19, 2001) from the City Clerk, Planning and Transportation Committee, addressed to the Board of Health and Community Councils, forwarding the report (August 16, 2001) from the Commissioner of Urban Development Services on the harmonization of the Noise By-law and communication (July 19, 2001) from the Secretary, Board of Health, regarding Leaf Blowers and Other Lawn Garden Equipment, to the Community Councils and the Board of Health for their consideration and comment back to the Planning and Transportation Committee.

The Midtown Community Council also had before it the following communications:

- (i) (October 10, 2001) from the Commissioner, Works and Emergency Services, reporting on the implications on City operations of the restricted use of leaf blowers as recommended by the Board of Health at their meeting held on July 16, 2001; advising that there are no financial implications resulting from the adoption of this report; and recommending that:
 - (1) City staff continue using leaf blowers but only during the hours of 7:00 a.m. to 5:00 p.m., Monday to Friday, and not at any time in quiet zones unless required for emergency operations; and
 - (2) staff be directed to develop an implementation plan to review work procedures, training requirements, and to research new types of equipment and leaf removal methods;
- (ii) (October 16, 2001) from Gail Cooper and Gerald William Cooper, urging Community Council's support for a ban of leaf blowers;
- (iii) (October 21, 2001) from Joan Dubros, providing comments regarding banning leaf blowers and pesticides;
- (iv) (October 22, 2001) from Brian Maguire, Secretary, North Hill District Home Owners' Association, providing comments regarding the harmonized Noise By-law; and
- (v) (October 22, 2001) from Councillor Anne Johnston, providing comments regarding the harmonized Noise By-law

Gerald William Cooper appeared before the Midtown Community Council in connection with the foregoing matter.

The Midtown Community Council:

- (A) recommended to the Planning and Transportation Committee that:
 - (1) consideration be given to strengthening the provisions of the harmonized Noise By-law pertaining to the use of a device that blows or vacuums leaves, grass clippings or debris, so that the use is restricted:
 - (a) at all times in Quiet Zones;
 - (b) at all times on residential properties except during the months of October and November for leaf removal;

- (c) between 6:00 p.m. and 8:00 a.m. on weekdays and at all times on Saturday and Sunday on non-residential properties; and
- (2) consideration be given to strengthening the provisions of the harmonized Noise By-law pertaining to air conditioning unit noise to reflect the standards in effect under the former City of Toronto Noise By-law **(moved by Councillor Mihevc)**; and
- (B) requested the Commissioner of Works and Emergency Services to submit a further report to the Planning and Transportation Committee on the use of leaf blowers on residential properties of one acre or larger **(moved by Councillor Flint)**.

(Planning and Transportation Committee; c. Commissioner of Works and Emergency Services; Interested Persons - October 25, 2001)

(Clause No. 34(h), Report No. 8)

**9.34 Pathway in Humewood Park
(St. Paul's - - Ward 21)**

The Midtown Community Council had before it a communication (October 12, 2001) from the City Clerk, forwarding Item (g) contained in Clause No. 35 of Report No. 7 of the Midtown Community Council headed "Pathway in Humewood Park (St. Paul's - Ward 21)", which City Council at its regular meeting held on October 2, 3 and 4, 2001, struck out and referred back to the Midtown Community Council for further consideration.

On motion by Councillor Mihevc, the Midtown Community Council referred the foregoing matter to the Commissioner of Works and Emergency Services (in consultation with the Commissioner, Economic Development, Culture and Tourism, as appropriate) with a request that he submit a report thereon to the next meeting of the Midtown Community Council.

(Commissioner of Works and Emergency Services; c.
Councillor Mihevc; Commissioner, Economic
Development, Culture and Tourism - October 25, 2001)

(Clause No. 34(i), Report No. 8)

**9.35 Installation of On-Street Parking
Space for Persons With Disabilities.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it a report (October 4, 2001) from the Director, Transportation Services, District 1, reporting on a request for the installation of an on-street disabled persons' parking space; advising that funds to undertake the necessary signage adjustments in the estimated amount of \$300.00 are contained in the Transportation Services Division 2001 Operating Budget; and recommending that:

- (1) the installation of a disabled on-street parking space 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.

On motion by Councillor Mihevc, the
Midtown Community Council
recommended to Council adoption of the
foregoing report.

(Clause No. 26, Report No. 8)

**9.36 Final Report - Application for Part Lot
Control Exemption - English Lane Homes Inc.
- 39 Green Belt Drive.
(Don Valley East - Ward 34)**

The Midtown Community Council had before it a report (October 9, 2001) from the Director, Community Planning, North District, reporting on an application requesting exemption from part lot control in order that 80 townhouse dwelling units may be conveyed into separate ownership; advising that all costs associated with the processing of this application are included within the 2001 operating budget; and recommending that:

Midtown Community Council Minutes
Tuesday, October 23, 2001

- (1) this application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to Recommendation (1);
- (3) the by-law shall expire one year from the date of its enactment; and
- (4) the appropriate City Officials be authorized and directed to register the By-law on title.

On motion by Councillor Minnan-Wong, the Midtown Community Council recommended to Council adoption of the foregoing report.

(Clause No. 27 , Report No. 8)

**9.37 All Way Stop Control
- Caldly Court at Fifeshire Road.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (October 17, 2001) from the Director, Transportation Services, District 1, commenting on the feasibility of installing an all way stop control at the intersection of Caldly Court and Fifeshire Road; advising that there are no financial implications resulting from the adoption of this report; and recommending that this report be received for information.

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

- Richard Wolfe; and
- Cindy Ducasse.

On motion by Councillor Flint, the Midtown Community Council recommended to Council that an all-way stop control at the intersection of Caldly Court and Fifeshire Road, be installed.

(Clause No. 28, Report No. 8)

**9.38 On-Street Prohibited Parking
- Brooke Avenue East of Bathurst Street.
(Eglinton - Lawrence - Ward 16)**

The Midtown Community Council had before it a report (October 18, 2001) from the Director, Transportation Services, District 3, reporting on amending the current parking prohibitions on Brooke Avenue, east of Bathurst Street; advising that all costs associated with the amendment to the existing parking prohibitions on Brooke Avenue are included within the District 3 Transportation Services Division's Operating Budget; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the north side of Brooke Avenue, from a point 50 metres east of Bathurst Street to a point 70 metres east of Bathurst Street.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council adoption of the foregoing report.

(Clause No. 29, Report No. 8)

**9.39 Petro-Canada Retail Gasoline Outlet -
Amended Remedial Action Plan
-1467 Bathurst Street.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it a report (October 18, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request from Terrapex Environmental Ltd., Consulting Engineerings, on behalf of Petro-Canada, for permission to complete the infrastructure for the remediation system at the Petro-Canada retail gasoline outlet located at 1467 Bathurst Street; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council approve the installation of various recovery wells within the public right of way of St. Clair Avenue West and Hilton Avenue together with the excavation of a trench along the southerly portion of St. Clair Avenue West and extending southerly along the west side of Hilton Avenue and terminating in Wells Hill Park subject to Petro-Canada entering into a licence agreement for a term of ten years, renewable if necessary, with the City of Toronto, in which Petro-Canada agrees to:

Midtown Community Council Minutes
Tuesday, October 23, 2001

- (a) indemnify the City of Toronto from and against all actions, suits, claims or demands and from all loss, costs, damages, charges and expenses that may result from such permission granted;
- (b) maintain the recovery wells, trench, and recovery system in proper repair, with necessary safety systems in case of system failure, to the satisfaction of the Commissioner of Works and Emergency Services and the Ministry of the Environment;
- (c) obtain the requisite permits from the Commissioners of Works and Emergency Services and Economic Development, Culture and Tourism for the proposed infrastructure for the remediation system as affecting the public right of way of St. Clair Avenue West and Hilton Avenues and Wells Hill Park respectively;
- (d) maintain and operate the installation until the conditions on City property meet the residential/parkland criteria in accordance with the Ministry of Environment's guidelines, "Guideline For Use at Contaminated Sites in Ontario" revised February 1997;
- (e) maintain and operate their installation until soil vapour concentrations on City property have measured Lower Explosion Limit (LEL) values less than, or equal to, 10% LEL, calibrated against hexane;
- (f) decommission their installation after 12 months of monitoring (following shutdown of the installation operation) indicates that the residential/parkland criteria (Recommendation No. d) and LEL criteria (Recommendation No. e) are still satisfied, at which point either party could terminate the licence agreement upon sixty (60) days written notice and upon Petro-Canada having fulfilled all required conditions to the satisfaction of the City's Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism;
- (g) decommission all vertical, angled and horizontal recovery wells and piping within the public right of way in accordance with Ontario Regulation 903 criteria;
- (h) remove all underground vault(s) and piping from parkland;

Midtown Community Council Minutes
Tuesday, October 23, 2001

- (i) provide evidence of written agreements between the owners of 497 and 499 St. Clair Avenue West concurring with the objectives of remediation on their properties all in accordance with the Ministry of Environment “Guideline For Use At Contaminated Sites In Ontario, revised February 1997”;
- (j) provide a Letter of Credit to the Commissioner of Works in the amount of \$50,000.00 to cover the cost for permanent repairs associated with the restoration of the pavement, sidewalk, curb and boulevard and agree to pay all associated costs that may exceed this amount;
- (k) provide all copies of all reports to the Commissioners of Works and Emergency Services and Economic Development, Culture and Tourism concerning the use of the public right of way as affecting St. Clair Avenue West and Hilton Avenue including the leased parklands, but not limited to, the monthly reports that are submitted to the Ministry of the Environment, during the term of the agreement;
- (l) enter into a licence agreement with the Commissioner of Economic Development, Culture and Tourism to use the parkland for a period of 10 years at the rate of \$4,000.00 per annum. In the event that the Licensee remains in occupation of the leased lands beyond the 10 year period, they may continue to occupy the area on a month-to-month basis, at a monthly rental rate of \$3,000.00;
- (m) upon completion or termination of the agreement and within 60 days, restore the leased park land to its former condition at their sole expense and to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- (n) prior to the restoration of the parkland, carry out a Phase 1 Environmental Audit at the cost of the Licensee;
- (o) provide a letter of credit to the Commissioner of Economic Development, Culture and Tourism in the amount of \$100,000.00 as a security damage deposit in case any leaching or spillage issues arise as a result of the permission requested;
- (p) provide such insurance, of types and amounts satisfactory to the City and/or such additional security as the City determines necessary;

Midtown Community Council Minutes
Tuesday, October 23, 2001

- (q) accept such additional conditions as the City Solicitor or the Commissioners of Works and Emergency Services and Economic Development, Culture and Tourism may deem necessary in the interest of the City; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Ivan Fleischmann, Solicitor, Miller Thompson, on behalf of Petro-Canada, appeared before the Midtown Community Council in connection with the foregoing matter.

On motion by Councillor Mihevc, the
Midtown Community Council:

- (A) submitted the foregoing report (October 18, 2001) from the Manager, Right of Way Management, Transportation Services, District 1, to Council, without recommendation; and
- (B) requested the Manager, Right of Way Management, Transportation Services, District 1, in consultation with the City Solicitor as appropriate, to report directly to Council for its meeting on November 6, 2001, when this matter is considered on the following:
 - (1) Recommendation No. (1)(i) being amended to provide that the applicant be required to provide evidence of appropriate communication to the tenants and owners of any buildings affected by the spill;
 - (2) with respect to Recommendation No. (1)(j), staff review the amount of \$50,000.00 listed in the Letter of Credit;

Midtown Community Council Minutes
Tuesday, October 23, 2001

- (3) with respect to Recommendation No. (1)(o), staff review the amount of the Letter of Credit to the Commissioner of Economic Development, Culture and Tourism in the amount of \$100,000.00;
- (5) that the applicant be required to report to City Council on a quarterly basis;
- (6) that a condition of the proposed licence agreement be that Petro-Canada pay all associated City costs, including staff time (legal, administration, evaluation, processing, monitoring, engineering, etc.) of Works and Emergency Services, Economic Development, Culture and Tourism, Legal Division, Public Health, and any other departments involved, such costs to be determined by the value of same if it were to be contracted out;
- (7) that the appropriate staff report back in three months' time on the issuances of City permits, at such time City Council to evaluate the appropriateness of requesting the Ministry of the Environment to issue a Minister's directive;
- (8) that the appropriate staff bring forward a City-wide policy and procedures for consideration by City Council with respect to this type of environmental spill.

(Manager, Right of Way Management, Transportation Services, District 1; City Solicitor; c. Commissioner of Works and Emergency Services; Interested Persons - October 25, 2001)

(Clause No. 30, Report No. 8)

**9.40 Sale of Surplus Parcel of Vacant Land
Located Between Nos. 141 and 133 Brooke Avenue.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a confidential report (October 18, 2001) from the Commissioner, Corporate Services, regarding offers received for the sale of the surplus parcel of vacant land located between Nos. 141 and 133 Brooke Avenue.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council adoption of the foregoing confidential report.

(Clause No. 31, Report No. 8)

**9.41 Request for Variance from the Former
Borough of East York Sign By-law
Requirements for the Property at
85 Thorncliffe Park Drive.
(Don Valley West - Ward 26)**

The Midtown Community Council had before it Clause No. 9, embodied in Report No. 7 of the Midtown Community Council headed "Request for Variance from the Former Borough of East York Sign By-law Requirements for the Property at 85 Thorncliffe Park Drive (Don Valley West - Ward 26) as adopted by the Council of the City of Toronto at its meeting held on October 2, 3 and 4, 2001.

The Midtown Community Council considered that portion of the report (July 10, 2001) from the Manager, Building, East District Field Office, contained in the foregoing clause, relating to the request for variance from the requirements of the former Borough of East York Sign By-law to install one identification ground sign, which was deferred sine die at its meeting on September 12, 2001.

On motion by Councillor Pitfield, the Midtown Community Council recommended that Council grant the variance from the requirements of the former Borough of East York Sign By-law to install one identification ground sign at 85 Thorncliffe Park Drive.

(Clause No. 32, Report No. 8)

**9.42 Reconstruction and Pavement
Marking of Old York Mills Road.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it the following resolution submitted by Councillor Flint:

"WHEREAS the recent reconstruction and pavement marking of Old York Mills Road has provided for 7 angled parking spaces in the vicinity of the Toronto Transit Subway Station, for drop off and pick up activities; and

WHEREAS staff of the Transportation Services Division has observed that long term commuter parking is occurring within the 7 angled parking spaces located in the centre of the roadway and enforcement by the Toronto Police Services, Parking Enforcement Unit, would have minimal impact in reducing the long term parking;

THEREFORE BE IT RESOLVED that parking be permitted for up to a maximum period of 10 minutes within the 7 angled parking spaces located on the centre of Old York Mills Road, from a point 50 metres of the easterly limit of Yonge Street to a point 30 metres easterly thereof and that staff install the appropriate signage advising motorists that the 7 angled parking spaces are to be identified as a "Drop off and Pick up area Only" facility only."

On motion by Councillor Flint, the Midtown Community Council recommended to Council adoption of the foregoing resolution by Councillor Flint.

(Clause No. 33, Report No. 8)

Midtown Community Council Minutes
Tuesday, October 23, 2001

The Midtown Community Council recessed at the following times:

recessed: 11:47 a.m.

resumed: 2:06 p.m.

The Midtown Community Council adjourned its meeting at 5:20 p.m.

Chair