

THE CITY OF TORONTO

City Clerk's Department

Minutes of The Midtown Community Council

Meeting No. 2

Monday February 25, 2002

The Midtown Community Council met on Monday February 25, 2002 in the Council Chambers, North York Civic Centre, Toronto, commencing at 11:07 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 January 29, 2002, were confirmed.

2.1 Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Joint Angled Front Yard Parking at 63 and 65 Ellsworth Avenue. (St. Paul's - Ward 21)

The Midtown Community Council had before it a communication (October 12, 2001) from the City Clerk, forwarding Clause No. 2 contained in Report No. 7 of the Midtown Community Council, headed "Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Joint Angled Front Yard Parking at 63 and 65 Ellsworth Avenue (St. Paul's - Ward 21)", which was struck out and referred back to the Midtown Community Council by the Council of the City of Toronto at its meeting held on October 2, 3 and 4, 2001, for further consideration, following further community consultation by the Ward Councillor, with the assistance of the appropriate staff of the Works and Emergency Services Department.

Midtown Community Council Minutes
Monday February 25, 2002

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

- (i) (January 17, 2002) from Councillor Mihevc, providing results of a ballot distributed to residents on Ellsworth Avenue;
- (ii) (January 28, 2002) from V. Day and V. Monticciolo, requesting that Midtown Community Council deny the application for joint angled front yard parking;
- (iii) (not dated) from Virginia Brooks, requesting that the item be deferred to the February meeting; and
- (iv) (February 14, 2002) from Virginia Brooks, Susan and Tom Bell, requesting support for the front yard parking application.

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

- Virginia Brooks;
- Michelle Kosoy; and
- Randy Nowlan.

The following motion by Councillor Flint **carried**:

“It is recommended that no applications for front yard parking come before this Community Council without a landscape plan and area map.”

The following motions by Councillor Mihevc **failed**:

- “(1) It is recommended that the application for joint front yard parking at 63 and 65 Ellsworth Avenue be denied.
- (2) It is recommended that the Commissioner, Works and Emergency Services be requested to submit a report to the Midtown Community Council on amendments to relevant by-laws to permit parking at the rear of the homes on the south side of Ellsworth Avenue facing Hocken Avenue.”

Because the foregoing motion by Councillor Mihevc failed, the Midtown Community Council submitted the foregoing matter to Council without recommendation.

(Interested Persons - February 27, 2002)

(Clause No. 1, Report No. 3)

**2.2 Poll Results - Atlas Avenue - from Dundurn
Crescent to Vaughan Road - Request for
Installation of Speed Humps.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it a communication (January 30, 2002) from the City Clerk, Midtown Community Council, advising that the Midtown Community Council at its meeting on January 29, 2002, in considering a report (December 19, 2001) from the City Clerk, providing results following polling of residents to determine majority support with respect to a proposed speed hump plan, in accordance with the former City of York speed hump policy, on Atlas Avenue, from Dundurn Crescent to Vaughan Road:

- (a) deferred consideration of the this matter to its next meeting on February 25, 2002;
- (b) requested Transportation Services staff to submit a report directly to the Ward Councillor on the positioning of two speed humps on Atlas Avenue between Earlsdale Avenue and Vaughan Road; and
- (c) requested the Ward Councillor to convene a community meeting and report back to the February 25, 2002 meeting with respect thereto.

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

- (i) (February 20, 2002) from the Manager, Traffic Operations, District 1, addressed to Councillor Mihevc, providing an amended map indicating a new proposal for speed hump locations; and
- (ii) (February 22, 2002) from Teresa Galle, opposing installation of speed humps.

On motion by Councillor Mihevc, the
Midtown Community Council deferred
consideration of this matter to its meeting to
be held on April 2, 2002.

(Manager, Traffic Operations, District 1; Councillor
Mihevc; c. Administrator, Midtown Community Council;
Interested Persons - February 27, 2002)

(Clause No. 17, Report No. 3)

**2.3 Introduction of Overnight On-Street
Permit Parking on the South Side of Moore Avenue
- from a Point 33 m West of Bayview Avenue
to a Point 104.5 m Further West Thereof
(Don Valley West - Ward 26)**

The Midtown Community Council had before it a report (January 14, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on the introduction of overnight on-street permit parking on the south side of Moore Avenue, from a point 33 m west of Bayview Avenue to a point 104.5 m further west thereof, on a street name basis, to operate during the hours of 11:00 p.m. and 5:00 a.m., 7 days a week; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) the City Clerk be directed to conduct a formal poll of the residents of Moore Avenue flankage of 1220 Bayview Avenue, (Bayview Manor Apartments), to determine support for the implementation of overnight on-street permit parking;
- (2) the City Clerk report the results of the poll to the Midtown Community Council; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

On motion by Councillor Pitfield, the Midtown Community Council deferred consideration of this matter to its meeting to be held on April 2, 2002.

(Manager, Right of Way Management, Transportation Services, District 1; c. Councillor Pitfield; Administrator, Midtown Community Council - February 27, 2002)

(Clause No. 18, Report No. 3)

**2.4 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal
Code to Permit the Existing Paving to Remain
in Connection with Driveway Widening
at 57 Montgomery Avenue.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a report (February 8, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a

Midtown Community Council Minutes
Monday February 25, 2002

request for an exemption from Municipal code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with driveway widening at 57 Montgomery 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 to maintain the existing paving in connection with driveway widening at 57 Montgomery Avenue;

or

- (2) City Council approve the application for driveway widening at 57 Montgomery Avenue, notwithstanding the existing paving does not meet the City's current paving specifications, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking and Licences, of the former City of Toronto Municipal Code.

Fred Hatzioannou appeared before the Midtown Community Council in connection with the foregoing matter and submitted photographs.

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 report (February 8, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, viz;

“(2) that City Council approve the application for driveway widening at 57 Montgomery Avenue, notwithstanding the existing paving does not meet the City's current paving specifications, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking and Licences, of the former City of Toronto Municipal Code.”

Councillor Walker resumed the Chair.

(Clause No. 2, Report No. 3)

**2.5 Construction of a Decorative Fence
and Pillars - 404 Russell Hill Road.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (February 11, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on the request to construct a decorative fence with pillars ranging in height from 1.37 m to 1.93 m. within the public right of way fronting 404 Russell Road; advising that the proposed height exceeds the maximum permitted under Chapter 313 of the former City of Toronto Municipal Code; further, advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council approve the construction of the fence and pillars within the public right of way fronting 404 Russell Hill Road, subject to the owner entering into an encroachment agreement with the City of Toronto, as prescribed under Chapter 313 of the former City of Toronto Municipal Code.

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. 3, Report No. 3)

**2.6 Extension of Permit Parking Hours on
the West Side of Braemar Avenue -
Between Eglinton Avenue West and
College View Avenue.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (February 8, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on the extension of permit parking hours on the west side of Braemar Avenue, between Eglinton Avenue West and College View Avenue, from 12:01 a.m. to 7:00 a.m., 7 days a week to the new hours of 12:01 a.m. to 10:00 a.m., Monday to Friday and 12:01 a.m. to 7:00 a.m., Saturday and Sunday; advising that funds to undertake the necessary signage

Midtown Community Council Minutes
Monday February 25, 2002

adjustments in the estimated amount of \$201.00 are contained in the Transportation Services Division 2002 Operating Budget interim appropriations; and recommending that:

- (1) permit parking hours of operation on the west side of Braemar Avenue, between Eglinton Avenue West and College View Avenue, be extended from of 12:01 a.m. to 7:00 a.m., 7 days a week, to 12:01 a.m. to 10:00 a.m., Monday to Friday and 12:01 a.m. to 7:00 a.m., Saturday and Sunday;
- (2) Part EE of Schedule XXVI (Permit Parking), of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be amended to incorporate the west side of Braemar Avenue, between Eglinton Avenue West and College View Avenue;
- (3) the existing parking prohibition from 8:00 a.m. to 10:00 a.m., Monday to Friday, on the west side of Braemar Avenue, from a point 152.4 metres north of College View Avenue to Eglinton Avenue West, be rescinded; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

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. 4, Report No. 3)

**2.7 Commercial Boulevard Parking on the
Belsize Drive Flank of 1989 Yonge Street.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (February 11, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on the cancellation of the existing licence for commercial boulevard parking on the Belsize Drive flank of 1989 Yonge Street; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council allow the licence to be retained by Mr. Tom Nikitakis of Nikitakis Investments Ltd. for two parking spaces positioned parallel to the roadway on the

Midtown Community Council Minutes
Monday February 25, 2002

Belsize Drive flank of 1989 Yonge Street provided that the parking is in compliance with the licence;

or

- (2) Mr. Tom Nikitakis of Nikitakis Investments Ltd. be notified of the proposed cancellation of the commercial boulevard parking privileges on the Belsize Drive flank of 1989 Yonge Street and that after hearing of deputations, City Council decide whether the existing licence for two parking spaces should be cancelled.

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

On motion by Councillor Walker, the
Midtown Community Council:

- (1) recommended that City Council allow the licence to be retained by Mr. Tom Nikitakis of Nikitakis Investments Ltd. for two parking spaces positioned parallel to the roadway on the Belsize Drive flank of 1989 Yonge Street provided that the parking is in compliance with the licence; and
- (2) requested the Manager, Right of Way Management, Transportation Services, District ,1 to report back to the Midtown Community Council in six months.

Councillor Walker resumed the Chair.

(Manager, Right of Way Management, Transportation
Services, District 1 - February 27, 2002)

(Clause No. 5, Report No. 3)

**2.8 Eglinton Avenue West at
Old Forest Hill Road
- Request to Narrow the Throat
at the South -West Corner.
(St. Paul's - Ward 21)**

The Midtown Community Council had before it a report (February 8, 2002) from the Director, Transportation Services, District 1, reporting on a request from Midtown Community Council to narrow the throat at the south-west corner of the intersection of Eglinton Avenue West and Old Forest Hill Road as much as possible without creating a safety hazard; advising that there are no financial implications associated with this report; and recommending that this report be received for information.

On motion by Councillor Mihevc, the
Midtown Community Council:

- (1) received the foregoing report; and
- (2) requested the Director, Transportation Services, District 1, to conduct a traffic count at this intersection at the appropriate time and report back to the Midtown Community Council.

(Director, Transportation Services, District 1; c. - Interested
Persons - February 27, 2002)

(Clause No. 47(a), Report No. 3)

**2.9 Hillsdale Avenue East - from Mount Pleasant
Road to Forman Avenue - Speed Hump Results.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (February 8, 2002) from the Director, Transportation Services, District 1, reporting on the results of a speed hump poll of Hillsdale Avenue East residents and to advise that conditions for the installation of speed humps on the subject section of Hillsdale Avenue East have been satisfied; advising that there are no financial implications resulting from the receipt of this report; and recommending that this report be received for information.

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

Midtown Community Council Minutes
Monday February 25, 2002

On motion by Councillor Walker, the Midtown Community Council deferred consideration of the foregoing report pending the submission of the draft By-law.

Councillor Walker resumed the Chair.

(Administrator, Midtown Community Council - February 27, 2002)

(Clause No. 47(b), Report No. 3)

**2.10 Belsize Drive - from Yonge Street to
Tullis Drive - Speed Hump Poll Results.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (February 8, 2002) from the Director, Transportation Services, District 1, reporting on the results of a speed hump poll of Belsize Drive residents and advising that conditions for the installation of speed humps on the subject section of Belsize Drive have been satisfied; advising that there are no financial implications resulting from the receipt of this report; and recommending that this report be received for information.

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

On motion by Councillor Walker, the Midtown Community Council deferred consideration of the foregoing report pending the submission of the draft By-law.

Councillor Walker resumed the Chair.

(Administrator, Midtown Community Council - February 27, 2002)

(Clause No. 47(c), Report No. 3)

**2.11 Millwood Road - from Cleveland Street
to Bayview Avenue - Speed Hump Poll Results.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (February 8, 2002) from the Director, Transportation Services, District 1, reporting on the results of a speed hump poll of Millwood Road residents and to advise that conditions for the installation of speed humps on the subject section of Millwood Road have been satisfied; advising that there are no financial implications resulting from the receipt of this report; and recommending that this report be received for information.

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

On motion by Councillor Walker, the Midtown Community Council deferred consideration of the foregoing report pending the submission of the draft By-law.

Councillor Walker resumed the Chair.

(Administrator, Midtown Community Council - February
27, 2002)

(Clause No. 47(d), Report No. 3)

**2.12 Through Traffic Prohibition - Exit from
York Mills Square to Scarsdale Road.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (January 14, 2002) from the Director, Transportation Services, District 3, reporting on rescinding the southbound through traffic restriction from York Mills Square Entrance/Exit to Scarsdale Road; advising that costs associated with the removal of the through traffic restriction are included within the District 3 Transportation Services Division's Operating Budget; and recommending that

- (1) the southbound through traffic prohibition at the intersection of York Mills Road with York Mills Square/Scarsdale Road be rescinded; and
- (2) the appropriate by-law(s) be amended accordingly.

On motion by Councillor Flint, the Midtown Community Council deferred consideration of the foregoing report sine die.

(Director, Transportation Services, District 3; c. Councillor
Flint - February 27, 2002)

(Clause No. 47(e), Report No. 3)

**2.13 40 Km/h Speed Limit - Cranbrooke Avenue.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a report (February 11, 2002) from the Director, Transportation Services, District 3, reporting on reducing the speed limit on Cranbrooke Avenue to 40 km/h, from the easterly limit of Barse Street to a point 150 metres east of the easterly limit of Grey Road; advising that costs associated with the implementation of a 40 km/h speed zone on Cranbrooke Avenue are included within the District 3 Transportation Services Division's Operating Budget; and recommending that By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Cranbrooke Avenue to 40 km/h, from the easterly limit of Barse Street to a point 150 metres east of the easterly limit of Grey Road.

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

(Clause No. 6, Report No. 3)

**2.14 40 Km/h Speed Limit - Mason Boulevard,
DeVere Gardens, Dunster Avenue,
Harley Avenue, Felbrigg Avenue,
Brooke Avenue, McGlashan Road,
McGlashan Court, Eastview Crescent
and Eastview Court.
(Eglinton-Lawrence - Ward 16)**

The Midtown Community Council had before it a report (February 6, 2002) from the Director, Transportation Services, District 3, reporting on reducing the speed limit on Mason Boulevard, DeVere Gardens, Dunster Avenue, Harley Avenue, Felbrigg Avenue, Brooke Avenue, McGlashan Road, McGlashan Court, Eastview Crescent and Eastview Court to 40 km/h; advising that all costs associated with the implementation of 40 km/h speed zones on subject streets are included within the District 3 Transportation Services Division's Operating Budget; and recommending that:

Midtown Community Council Minutes
Monday February 25, 2002

- (1) by-law number 31878, of the former City of North York, be amended to delete the 40 km/h speed limit on Mason Boulevard, from the northerly limit of Mason Boulevard to the northerly limit of Eastview Crescent;
- (2) by-law number 31878, of the former City of North York, be amended to delete the 40 km/h speed limit on DeVere Gardens, from the northerly limit of Mason Boulevard to a point 150 metres westerly and southerly thereof;
- (3) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on Mason Boulevard, from the northerly limit of Mason Boulevard to the northerly limit of Brooke Avenue, to 40 km/h;
- (4) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on DeVere Gardens, from the northerly limit of DeVere Gardens to the northerly limit of Brooke Avenue, to 40 km/h;
- (5) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on Dunster Avenue, from the easterly limit of Yonge Boulevard to the westerly limit of Mason Boulevard, to 40 km/h;
- (6) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on McGlashan Road, from the easterly limit of Mason Boulevard to the westerly limit of McGlashan Court, to 40 km/h;
- (7) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on McGlashan Court, from the westerly limit of McGlashan Road to the easterly limit of McGlashan Court, to 40 km/h;
- (8) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on Harley Avenue, from the easterly limit of Yonge Boulevard to the westerly limit of Mason Boulevard, to 40 km/h;
- (9) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on Eastview Crescent, from the easterly limit of Mason Boulevard to the easterly limit of Eastview Crescent, to 40 km/h;
- (10) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on Eastview Court, from the northerly limit of Eastview Crescent to the northerly limit of Eastview Court, to 40 km/h;
- (11) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on Felbrigg Avenue, from the easterly limit of Yonge Boulevard to the westerly limit of Mason Boulevard, to 40 km/h; and

Midtown Community Council Minutes
Monday February 25, 2002

- (12) by-law number 31878, of the former City of North York, be amended to reduce the speed limit on Brooke Avenue, from the easterly limit of Yonge Boulevard to the westerly limit of Mason Boulevard, to 40 km/h.

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

(Clause No. 7, Report No. 3)

2.15 Field Avenue Between Bessborough Drive and Hanna Road - Amendments to Parking Regulations. (Don Valley West - Ward 26)

The Midtown Community Council had before it a report (February 7, 2002) from the Director, Transportation Services, District 1, recommending parking regulation amendments on Field Avenue between Bessborough Drive and Hanna Road, to allow for safe and efficient two-way traffic operations during the student pick-up and drop-off times of Bessborough Public School; advising that funds in the amount of \$500.00 associated with the installation of appropriate signs are contained in the Transportation Services Division 2002 Operating Budget interim appropriations; and recommending that:

- (1) a "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be enacted on the north side of Field Avenue between Bessborough Drive and Hanna Road, subject to the favourable results of polling of the affected residents, conducted according to the policy of the former Borough of East York; 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 Pitfield, the Midtown Community Council adopted the foregoing report and referred same to the City Clerk for action in accordance with the policy of the former Borough of East York.

(City Clerk, Midtown Community Council; c. Councillor Pitfield; Shawn Dartsch, Transportation Services - February 7, 2002)

(Clause No. 8, Report No. 3)

**2.16 Heath Street West - South Side - West of
Walmer Road - Request to Extend
Existing “No Stopping Anytime” Restriction.
(St. Paul’s - Ward 21)**

The Midtown Community Council had before it a report (February 8, 2002) from the Director, Transportation Services, District 1, responding to a request to improve sightline visibility for motorists exiting Walmer Road at Heath Street West; advising that funds to undertake the necessary signage adjustments in the estimated amount of \$200.00, are contained in the Transportation Services Division 2002 Operating Budget interim appropriations; and recommending that:

- (1) appropriate staff undertake a poll of the residents on both sides of Heath Street West, from Tweedsmuir Avenue to Walmer Road, to determine support in extending the existing “No Stopping Anytime” restriction, currently in effect on the south side of Heath Street West from Walmer Road to a point 15 metres further west, to be in effect an additional 11 metres further west (total 26 metres west of Walmer Road), in accordance with the former City of York policy;
- (2) subject to the poll results indicating a majority of residents are in favour, Uniform Traffic By-law Nos. 196-84 and 2958-94 be amended to prohibit stopping at anytime, on the south side of Heath Street West, from Walmer Road, to a point 26 metres west;
- (3) subject to the poll results indicating a majority of residents are in favour, Schedule “A” of Permit Parking By-law No. 3491-80, of the former City of York, be amended to reflect the reduction of two permit parking spaces on the south side of Heath Street West, between Tweedsmuir Avenue and Walmer Road; and
- (4) 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 that:

- (1) Uniform Traffic By-laws Nos. 196-84 and 2958-94 be amended to prohibit stopping at anytime, on the south side of Heath Street West, from Walmer Road, to a point 26 metres west;

- (2) Schedule "A" of Permit Parking By-law No. 3491-80, of the former City of York, be amended to reflect the reduction of two permit parking spaces on the south side of Heath Street West, between Tweedsmuir Avenue and Walmer Road; 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.

(Clause No. 9, Report No. 3)

**2.17 Neighbourhood Traffic Management
Plan - Wallingford Road.
(Don Valley East - Ward 34)**

The Midtown Community Council had before it a report (February 11, 2002) from the Director, Transportation Services, District 3, reviewing the feasibility of implementing traffic calming measures (raised driveable median) on Wallingford Road; advising that funds for the installation of traffic calming measures (City wide) have been requested in the Transportation Services Division's 2002 Capital Works Program; that the construction of a raised driveable median will be subject to competing priorities and funding; and recommending that:

- (1) a by-law be prepared and public notice be given pursuant to the Municipal Act and Municipal Class Environmental Assessment Act for alterations to sections of Wallingford Road, between Tanburn Place and Treadgold Crescent, for traffic calming purposes, described as follows:

The construction of a raised driveable median on Wallingford Road, between Tanburn Place and Treadgold Crescent, shown on Drawing No. NY1358, attached;

- (2) pursuant to the requirements of Schedule B of the Municipal Class Environmental Assessment Act, Notice of Study Commencement be given to the Ministry of the Environment, Fire Services, Emergency Medical Services and Toronto Police Service and upon approval of a by-law by Council, Notice of Completion be issued;

Midtown Community Council Minutes
Monday February 25, 2002

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required;
- (4) schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the “No Parking, 8:30 a.m. to 6:00 p.m., Monday to Friday” prohibitions, on the east side of Wallingford Road, from a point 122 metres south of Tanburn Place to the northerly limit of Ptarmigan Crescent;
- (5) schedule VIII of By-law No. 31001, of the former City of North York, be amended to install “No Parking Anytime” prohibitions, on the east side of Wallingford Road, from a point 87 metres south of the southerly limit of Tanburn Place to a point 108 metres southerly thereof; and
- (6) schedule VIII of By-law No. 31001, of the former City of North York, be amended to install “No Parking, 8:30 a.m. to 6:00 p.m., Monday to Friday” prohibitions, on the east side of Wallingford Road, from the northerly limit of Ptarmigan Crescent to a point 194 metres south of Tanburn Place.

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

(Clause No. 10, Report No. 3)

**2.18 44 St. Clair Avenue East - Request for
Approval of Variances from Chapter 297
- Signs of the Former City of Toronto
Municipal Code - Application No. 901093
- TD VAR 2001 0047.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (February 7, 2002) from the Director, Community Planning, South District, reviewing and making recommendations for an application for minor variances to permit, for identification purposes, an illuminated fascia sign on the front elevation and a mural sign on the west elevation of the building at 44 St. Clair Avenue East; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council approve Application No. 901093 for minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for identification purposes, an illuminated fascia sign on the front elevation and a mural sign on the west elevation of the building at 44 St. Clair Avenue East with a

Midtown Community Council Minutes
Monday February 25, 2002

condition that the two existing fascia signs located on the west elevation of the building will be removed; and

- (2) the applicant be advised, upon approval of Application No. 901093, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services.

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. 3)

**2.19 Request for Approval of Variances from
the Former Borough of East York Sign
By-law No. 64-87 - as Amended - for Additional
Fascia Signs and a Pylon Sign for a Tenant
at 957 Eglinton Avenue East.
(Don Valley West - Ward 26)**

The Midtown Community Council had before it a report (February 8, 2002) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Domenic Rotundo, with Neon Products Ltd., for Saturn Saab Isuzu Inc., for approval of variances from the former Borough of East York Sign By-law No. 64-87, as amended, to permit additional fascia signs and one pylon sign, for a tenant at the above noted location; advising that there are no financial implications resulting from the adoption of this report; and recommending that the request for variances be refused for the reasons outlined in this report.

On motion by Councillor Pitfield, the
Midtown Community Council
recommended to Council that:

- (1) a variance from the former Borough of East York Sign By-law No. 64-87 be approved to permit the installation of:

Midtown Community Council Minutes
Monday February 25, 2002

- (a) one pylon sign facing Vanderhoof Avenue to have an aggregate sign area of not more than 12 sq. m;
 - (b) one fascia sign on the wall of the unit facing Brentcliffe Road; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(Clause No. 12, Report No. 3)

**2.20 Preliminary Report - Applications to Amend
Official Plan and Zoning - D. Shafran
Investments Ltd. - 20 Graydon Hall Drive
- TD CMB 2002 0008.
(Don Valley East - Ward 34)**

The Midtown Community Council had before it a report (February 11, 2002) from the Director, Community Planning, North District, (February 11, 2002) providing preliminary information on the above-noted applications and to seek Community Council's directions on further processing of the applications and on the community consultation process; advising that there are no financial implications resulting from the adoption of this report; 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 Minnan-Wong, the Midtown Community Council adopted the foregoing report, as amended, to provide that the notice for community consultation and public meeting be extended east to the Don Valley Parkway and south to York Mills Road, and forwarded same to Clerk's and Planning staff for action.

Midtown Community Council Minutes
Monday February 25, 2002

(Director, Community Planning, North District; City Clerk,
Midtown Community Council; c. Interested Persons -
February 27, 2002)

(Clause No. 47(f), Report No. 3)

**2.21 Final Report - Application to Amend
the Official Plan and for Draft Plan
of Condominium - Bathurst Forest Hill
Place Apartment Ltd. - 1597 Bathurst Street
- File No. 101010 and 410015
(St. Paul's - Ward 22)**

The Midtown Community Council, on February 25, 2002, held a statutory public meeting and notice was given in accordance with the Planning Act.

The Midtown Community Council had before it a report (February 4, 2002) from the Director, Community Planning, South District, reviewing and recommending approval of an application to amend the Official Plan to permit the conversion of the existing equity co-operative apartment building at 1597 Bathurst Street to a residential condominium and recommending approval of a Draft Plan of Condominium for the property, subject to a number of conditions; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) The Official Plan for the former City of Toronto be amended substantially in accordance with the draft Official Plan Amendment as found in Appendix B of this report.
- (2) The City Solicitor be authorized to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.
- (3) City Council authorize Draft Approval of the Plan of Condominium for 1597 Bathurst Street date stamped as received on July 3, 2001, as redlined January 8, 2002, subject to the Official Plan amendment coming into force and effect.
- (4) The owner be required to meet the following conditions of Draft Approval prior to the City's consent for final registration and authorize the City Solicitor to prepare any necessary condominium agreement for the conditions, as she deems necessary:
 - (a) the owner shall provide all legal descriptions and surveys of the lands required in connection with the processing of the subject application;

Midtown Community Council Minutes
Monday February 25, 2002

- (b) the owner shall clearly designate the north-south driveway aisle for one-way south-bound operations by clearly visible signs and pavement markings;
 - (c) the owner shall install signage at the rear of the building, directly adjacent to the southerly east-west driveway, directing outbound vehicles to yield to incoming vehicles; and
 - (d) the owner shall register the condominium within two years after the date that Council approves this Draft Plan of Condominium, otherwise the approval shall lapse and be of no further force and effect.
- (5) The owner be advised:
- (a) of the need to receive the approval of the Commissioner of Works and Emergency Services for any work to be carried out within the Bathurst Street right-of-way; and
 - (b) of the need to amend all applicable mutual driveway agreements in place to include the future condominium owners, and grant the appropriate rights-of-way over the northerly and southerly driveways in favour of said owners, to the satisfaction of the City Solicitor and City Surveyor.

The Midtown Community Council also had before it a communication (February 4, 2002) from Marc Pearsall, objecting to the proposed amendment to the Official Plan to permit the conversion of Rental Apartments to Condominium.

David LeBlanc, owner, was present during consideration of this matter.

On motion by Councillor Mihevc, the Midtown Community Council, based on the findings of fact and conclusions, recommended to Council adoption of the foregoing report.

(Clause No. 13, Report No. 3)

**2.22 Final Report - Application to Amend the Official Plan and Zoning By-law to Permit an Addition to an Existing Apartment Building at 45 Dunfield Avenue - Shiplake Management Company Limited.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it the following communication (January 30, 2002) from the City Clerk, Midtown Community Council:

“The Midtown Community Council held a Statutory Public Meeting on January 29, 2002 and notice was given in accordance with the Planning Act.

The Midtown Community Council had before it the following:

- (i) report (January 11, 2002) from the Director, Community Planning, South District, reviewing and recommending approval of an application to amend the Official Plan and Zoning By-law for a 16 storey addition containing 108 dwelling units to be added to an existing 28 storey, 576 unit, residential apartment building at 45 Dunfield Avenue;
- (ii) report (December 17, 2001) from the Commissioner, Economic Development, Culture and Tourism, regarding a request for a permit for tree removal at 45 Dunfield Avenue;
- (iii) report (January 15, 2002) from the Acting Commissioner, Community and Neighbourhood Services, in connection with the application to amend the Official Plan and Zoning By-law to permit an addition to an existing apartment building at 45 Dunfield Avenue, regarding a rent abatement strategy;
- (iv) communication (November 21, 2001) from Adam Brown, Brown, Dryer, Karol, Barristers and Solicitors, requesting to make a deputation;
- (v) communication (January 10, 2002) from Gary Starks and Muge Starks, in opposition to the proposed development; and
- (vi) communication (January 24, 2002) from Janice Webster, requesting that the item be deferred to the next meeting of the Midtown Community Council.

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

- Adam J. Brown, Solicitor, Brown Dryer Karol, on behalf of the applicant.

Midtown Community Council Minutes
Monday February 25, 2002

The Midtown Community Council deferred consideration of this matter to its next meeting on February 25, 2002, to allow the local Councillor to convene a community meeting and report back.”

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

- (A) (January 11, 2002) from the Director, Community Planning, South District, reviewing and recommending approval of an application to amend the Official Plan and Zoning By-law for a 16 storey addition containing 108 dwelling units to be added to an existing 28 storey, 576 unit, residential apartment building at 45 Dunfield Avenue; 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 and repeal Site Specific By-law 22418 substantially in accordance with the draft Zoning By-law Amendment attached as Appendix C. ;
 - (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* regarding the provision of public benefits in exchange for the increase in permitted building density on the property as set out in this report; and
 - (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*;
- (B) (December 17, 2001) from the Commissioner, Economic Development, Culture and Tourism, advising that a request has been filed in connection with Official Plan Amendment and Rezoning Application No. 299011, The MBTW Group, 240 Duncan Mill Road, Suite 500, Toronto, M3B 1Z4, agent for the owner of the subject property, SDLCO Realty Group & MELCO Realty Group Ltd., 1600 - 20 Eglinton Avenue West, Toronto, M4R 2H1, for a permit to:
- remove one privately owned 32 centimetre diameter Green ash;
 - remove one privately owned 34 centimetre diameter Green ash;

Midtown Community Council Minutes
Monday February 25, 2002

- remove one privately owned 36 centimetre diameter Green ash;
- remove one privately owned 36 centimetre diameter Green ash;
- remove one privately owned 32 centimetre diameter Elm; and
- remove one privately owned 34 centimetre diameter Austrian pine;

advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) the request for a permit for tree removal at 45 Dunfield Avenue be denied;

or
 - (2) the request for a permit for tree removal at 45 Dunfield Avenue 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 Official Plan Amendment and Rezoning Application No. 299011 commence which warrant the destruction of the trees; and
 - (b) the applicant agreeing to plant replacement trees in accordance with landscape plans submitted with this development proposal.
- (C) (January 15, 2002) from the Acting Commissioner, Community and Neighbourhood Services, responding to the motion approved at the November 9, 1999 meeting of the Toronto Community Council wherein the Community Council requested the Commissioner of Community and Neighbourhood Service, in consultation with the Acting Commissioner of Urban Planning and Development Services, to formulate a rent abatement strategy prior to the submission of the final planning report concerning 45 Dunfield Avenue; advising that there are no financial implications; and recommending that staff from Community and Neighbourhood Services co-ordinate the development of an education package on tenant rights and obligations under the Tenant Protection Act, and City property standards by-laws and other by-laws as they relate to renovation and construction, to be made available to tenants where rental buildings are undergoing major renovations or new construction and to provide such package to the residents of 45 Dunfield Avenue.

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

- (i) (November 21, 2001) from Adam Brown, Brown, Dryer, Karol, Barristers and Solicitors, requesting to make a deputation;

Midtown Community Council Minutes
Monday February 25, 2002

- (ii) (January 10, 2002) from Gary Starks and Muge Starks, in opposition to the proposed development;
- (iii) (January 24, 2002) from Janice Webster, requesting that the item be deferred to the February 25, 2002 meeting of the Midtown Community Council; and
- (iv) (February 22, 2002) from Councillor Michael Walker, requesting that the application be approved only if there is a rent abatement program in place.

Ted Cymbally, Community Planning, South District, gave a brief presentation.

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

- Adam J. Brown, Solicitor, on behalf of the applicant;
- Janice Webster;
- Jane McKinnon;
- Julie Driscoll;
- Anthony Hueton, and submitted photographs; and
- James B. Putt, South Eglinton Ratepayers and Residents' Association (SERRA)

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

On motion by Councillor Walker, the
Midtown Community Council
recommended to Council:

(A) adoption of the report (January 11, 2002) from the Director, Community Planning, South District in relation to the application to amend the Official Plan and Zoning By-law to permit an addition to an existing apartment building at 45 Dunfield Avenue, subject to the following:

- (1) the owner will not provide a restrictive covenant to maintain the new apartments in the rental pool and will be entitled to apply to register a plan of condominium for such units, which application would be considered pursuant to applicable process and

Midtown Community Council Minutes
Monday February 25, 2002

policies; but the owner will provide through a section 37 agreement pursuant to the Planning Act that the owner will not apply to register a plan of condominium on the existing apartments for at least ten (10) years and will not demolish the existing apartment building until at least twenty (20) years after the date when the Official Plan amendment and zoning by-law relating to the new apartments comes into force and effect; and

- (2) the owner will provide a rental abatement package of \$77,700.00 to the tenants of the existing rental units on the following basis:

- abutting units \$100.00 per month x 42 units x 10 months =\$42,000.00
- 2nd row of units \$ 50.00 per month x 42 units x 10 months =\$21,000.00
- 3rd row of units \$ 35.00 per month x 42 units x 10 months =\$14,700.00

said rental abatement package to be secured through a section 37 agreement entered into prior to the Official Plan amendment and zoning by-law relating to the new apartments coming into force and effect and commencing as a condition of the release of a building permit for the new apartment;

Midtown Community Council Minutes
Monday February 25, 2002

- (3) the owner agrees through a section 37 agreement pursuant to the Planning Act that it will not apply to the Ontario Rental Housing Tribunal for an above guideline rent increase with respect to the existing tenants for costs relating to the interface of the existing building with the new building, any relocation of entrances or any other costs relating to the construction of the new building which may impact on the existing building; and
 - (4) that the City Solicitor be authorized to attend, if necessary, at the Ontario Municipal Board in support of Council's position respecting this matter;
- (B) adoption of the following Recommendation No. (2) contained in the report (December 17, 2001) from the Commissioner, Economic Development, Culture and Tourism:
- “(2) that the request for a permit for tree removal at 45 Dunfield Avenue 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

Midtown Community Council Minutes
Monday February 25, 2002

Official Plan
Amendment and
Rezoning Application
No. 299011
commence which
warrant the
destruction of the
trees; and

(b) the applicant agreeing
to plant replacement
trees in accordance
with landscape plans
submitted with this
development
proposal; and

(C) adoption of the
recommendation of the
Acting Commissioner,
Community and
Neighbourhood Services,
contained in his report
(January 15, 2002), that staff
from Community and
Neighbourhood Services co-
ordinate the development of
an education package on
tenant rights and obligations
under the Tenant Protection
Act, and City property
standards by-laws and other
by-laws as they relate to
renovation and construction,
to be made available to
tenants where rental
buildings are undergoing
major renovations or new
construction and to provide
such package to the residents
of 45 Dunfield Avenue.

Councillor Walker resumed the Chair.

(Clause No. 14, Report No. 3)

**2.23 Refusal Report - Official Plan and Zoning
By-law Amendment Application No. 100034
(ATS#20000001) and Site Plan Approval Application
No. 301056 for 2195 Yonge Street.
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (February 11, 2002) from the Director, Community Planning, South District, reporting on the findings of the focused planning review of Yonge-Eglinton Mixed-Commercial Residential Area 'A' (the Yonge-Eglinton node) and providing a planning opinion with respect to Minto's proposed development within the node at 2195 Yonge Street; the findings presented in this report will provide the basis for future amendments to the planning policies for the Yonge-Eglinton node to provide greater guidance for development within the area they will also provide the basis for the City's planning case opposing the Minto application at an upcoming Ontario Municipal Board hearing; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council refuse Official Plan and Zoning By-law Amendment Application No. 100034, as revised on January 24, 2002 and Site Plan Application No. 301056; and
- (2) City Council request the City Solicitor, Commissioner of Urban Development Services and any other appropriate staff to oppose the Ontario Municipal Board appeal and referral made by the applicant on Application No. 100034 and authorize staff to oppose any future appeal of Site Plan Application No. 301056; and
- (3) City Council authorize staff to finalize its focused planning review, organize a community consultation process to discuss the proposed directions, and bring forward final recommendations to amend and refine the Official Plan and Zoning By-law for the Yonge-Eglinton Mixed Commercial-Residential Area 'A'.

The Midtown Community Council also had before it the following:

- (i) approximately 35 letters in opposition to the proposed development;
- (ii) communication (May 8, 2002) from Alec McGillivray and Teti Argo, in support of the proposed development;
- (iii) Petition signed by approximately 600 people in opposition to the proposed development;
- (iv) communication (February 22, 2002) from the Manager, Service Planning, Toronto Transit Commission, requesting formal clarification pertaining to a statement contained in the staff report with respect to transit capacity;

Midtown Community Council Minutes
Monday February 25, 2002

- (v) communication (February 21, 2002) from David Vallance, expressing concern regarding the loss of the commercial building that occupied this site; and
- (vi) communication (February 25, 2002) from Louis Meandro, Vice President, Kolter Property Company, requesting involvement if City Council authorize staff to finalize its focused planning review and public consultation process to amend and refine the Official Plan and Zoning By-law for the Yonge-Eglinton Mixed Commercial-Residential Area "A".

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

- Stephen H. Diamond, Solicitor, on behalf of the applicant;
- Matthias Schlaepfer, on behalf of the Summerhill Residents' Association, and submitted a written brief;
- Michael Visser, Oriole Park Association;
- Michael Freel, President, South Eglinton Ratepayers and Residents' Association (SERRA);
- Jim Putt, South Eglinton Ratepayers and Residents' Association (SERRA);
- Terry Mills, FoNTRA;
- Bob Truman, Federation of North Toronto Residents Association (FoNTRA)
- Jason Stewart, and submitted written material;
- Jane McKinnon;
- Adair Roberts;
- Doris Low;
- Patrick Smyth, and submitted a written brief;
- John Tyack, FoNTRA;
- Arlena Hebert;
- John Dellevoet, Sherwood Park Ratepayers Association; and
- George Carrere, FoNTRA.

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 report (February 11, 2002) from the Director, Community Planning, South District, subject to adding the following further Recommendation No. (4):

- (4) the Commissioner of Urban Development Services be requested to report to the meeting of Council

Midtown Community Council Minutes
Monday February 25, 2002

scheduled to be held on April 16, 2002, setting out the detailed plan to finalize its focused planning review and the nature and scheduling for the community consultation.

The foregoing motion **carried** on the following division of votes:

Yeas: Walker, Pitfield, Flint, Johnston, Mihevc

Nays: Minnan-Wong.

Councillor Walker resumed the Chair.

(Commissioner of Urban Development Services; c. Director, Community Planning, South District; City Solicitor, Attention Anna Kinastowski; Councillor Walker; City Clerk, Attention Frank Baldassini; Stephen H. Diamond; Interested Persons - February 27, 2002)

(Clause No. 15, Report No. 3)

**2.24 Installation of All-Way Stop Control
- Laird Drive and Divadale Drive.
(Don Valley West - Ward 26)**

The Midtown Community Council had before it a report (February 14, 2002) from the Director, Transportation Services, District 1, seeking approval for the establishment of all-way stop control at the intersection Laird Drive and Divadale Drive, coincident with the removal of the existing pedestrian crossover (PXO); advising that funds in the amount of \$6,000.00 associated with the removal of the existing pedestrian crossover (PXO) and the installation of appropriate signs are contained in the Transportation Services Division 2002 Operating Budget interim appropriations; that the removal of the pedestrian crossover will result in annual maintenance savings of approximately \$1,200.00; and recommending that:

- (1) all-way stop control be established at the intersection of Laird Drive and Divadale Drive coincident with the removal of the existing pedestrian crossover (PXO); and
- (2) the appropriate City officials be requested to take whatever action is necessary to give effect thereto, including the introduction in Council of any Bills that are required.

Midtown Community Council Minutes
Monday February 25, 2002

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

(Clause No. 16, Report No. 3)

**2.25 OMB Hearing - 378 and 382 Cleveland Street.
(St. Paul's - Ward 22)**

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

“WHEREAS the Committee of Adjustment for the City of Toronto received an application submitted by Peter and Madelaine Virag, the owners of 382 Cleveland Street, for consent to grant an easement and right-of-way over 378 and 382 Cleveland Street in favour of the adjacent property to the west of 384 Cleveland Street; and

WHEREAS after consultation with the City of Toronto Legal Services, the Deputy Secretary Treasurer was advised that the applicant cannot grant an easement/right-of-way over lands that they do not own (378 Cleveland Street); and

WHEREAS the application as submitted was deemed by the delegated authority, the Deputy Secretary Treasurer, to be incomplete; and

WHEREAS the applicant has appealed to the Ontario Municipal Board; and

WHEREAS Thursday, March 21, 2002 has been set for the hearing of the appeal;

THEREFORE BE IT RESOLVED that Council direct the City Solicitor to attend the Ontario Municipal Board hearing in support of the Deputy Secretary Treasurer's position.”

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 resolution and, further, because of the timing, recommended that this matter be considered by Council at its meeting to be held on March 4, 5, 6 7 and 8, 2002.

Councillor Walker resumed the Chair.

(Clause No. 1, Report No. 2)

**2.26 OMB Appeals - Request for Grant -
Rosewell Court and 1 Cheritan Avenue.
(Eglinton-Lawrence - Ward 16)**

On motion by Councillor Johnston, the
Midtown Community Council:

- (1) endorsed, as an urgent matter, a request for a grant from the Rosewell Court and 1 Cheritan Avenue residents, in light of the recent Divisional Court decision on OPA2 and the impact such decision may have on their legal rights;
- (2) requested the Commissioner of Urban Development Services to report directly to Council for its meeting scheduled to be held March 4 – 8, 2002, on the need for the grants;
- (3) requested the City Treasurer to report to the same Council meeting on a source of funds; and
- (4) recommended to Council that the grants be deemed to be in the interest of the municipality; and
- (5) requested the City Solicitor to submit a report to Council, through the Midtown Community Council, on the implication the recent Divisional Court decision regarding the OPA2 would have on the appeals respecting 1 Cheritan Avenue and Rosewell Court currently before the OMB.

(Commissioner of Urban Development Services; Chief Financial Officer and Treasurer; City Solicitor; c. Commissioner, Community and Neighbourhood Services - February 27, 2002)

(Clause No. 2, Report No. 2)

Midtown Community Council Minutes
Monday February 25, 2002

The Midtown Community Council recessed at the following times:

recessed: 12:16 p.m.
resumed: 2:05 p.m.
recessed: 2:33 p.m.
resumed: 7:05 p.m.

The Midtown Community Council adjourned its meeting at 10:45 p.m.

Chair