

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Midtown Community Council

Meeting No. 8

Tuesday, October 15, 2002

The Midtown Community Council met on Tuesday, October 15, 2002 in the Council Chambers, North York Civic Centre, Toronto, commencing at 9:30 a.m.

Members Present:

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

Confirmation of Minutes.

On motion by Councillor Pitfield, the Minutes of the meeting of the Midtown Community Council held on September 17, 2002, were confirmed.

**8.1 Maintenance of Various Encroachments - 192 Dunvegan Road.
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (September 30, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, reporting further on a request to maintain various encroachments within the public right of way fronting 192 Dunvegan Road as requested by the Midtown Community Council at its meeting of September 17 and 18, 2002; advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council approve the maintenance of the ornamental brick wall, two trees, lights, stone paving and glycol heating system within the public right of way at 192 Dunvegan Road, subject to the property owners entering into an encroachment agreement with the City of Toronto, agreeing to:

- (a) indemnify the City from and against all actions, suits, claims or demands and

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- (b) from all loss, costs, damages and expenses that may result from such permission granted;
- (c) remove the tree closest to the driveway servicing 200 Dunvegan Road to improve the sight line for motorists using the driveway;
- (d) remove the ornamental brick wall, stone paving and trees upon receiving 90 days notice from the City to do so;
- (e) maintain the ornamental brick wall and stone paving in a good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (f) provide a letter of credit in the amount of \$856.00 as determined by the Commissioner of Economic Development, Culture and Tourism equivalent to the trees' value, removal and/or replacement costs if necessary and any additional maintenance costs associated with the work undertaken;
- (g) provide a Certificate of Inspection from Ontario Hydro for the low voltage lights;
- (h) install suitable barriers to prevent additional parking on the paved frontage; and
- (i) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City.

The Midtown Community Council also had before it a communication (October 10, 2002) from the City Clerk, forwarding for information and any attention deemed necessary, Clause No. 25 of Report No. 7 of the Midtown Community Council headed "Maintenance of Various Encroachments Within the Public Right of Way and Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway for Two Vehicles at 192 Dunvegan Road (St. Paul's - Ward 22)" which Council, at its meeting held on October 1, 2 and 3, 2002, struck out and referred back to the Midtown Community Council for further consideration.

Kenneth Tannenbaum was present during consideration of this matter.

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

- (1) approve the maintenance of an ornamental brick wall, three trees, lights, stone paving and glycol heating system within the public

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right of way at 192 Dunvegan Road, subject to the property owners entering into an encroachment agreement with the City of Toronto, agreeing to:

- (a) shorten the existing ornamental wall by 0.62 m, including the cap of the wall, from where it currently sits, adjacent to the property line with 200 Dunvegan Road;
- (b) replace the existing three trees in front of the ornamental wall with three new trees that have a minimum 1.5m clearance from the base of the tree to the leaves. The three new trees to be Armstrong Red Maples (species: Acer Rubrum Armstrong);
- (c) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted;
- (d) remove the ornamental brick wall, stone paving and trees upon receiving 90 days notice from the City to do so;
- (e) maintain the ornamental brick wall and stone paving in a good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;

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- (f) provide a letter of credit in the amount of \$856.00 as determined by the Commissioner of Economic Development, Culture and Tourism equivalent to the trees' value, removal and/or replacement costs if necessary and any additional maintenance costs associated with the work undertaken;
 - (g) provide a Certificate of Inspection from Ontario Hydro for the low voltage lights; and
 - (h) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City; and
- (2) approve the application for driveway widening for two parking spaces, one of which is to be within the limits of the existing driveway and the second of which is to be on an angle adjacent to the driveway, as shown on Appendix 'D' contained in the report (August 30, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, subject to:
- (a) the parking areas not exceeding 2.6 m by 5.9 m in dimension;
 - (b) the applicant providing the landscape features substantially in accordance with the plans as shown on

Appendix 'E' contained in the report (August 30, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, to the satisfaction of 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.

(Clause No. 1, Report No. 8)

**8.2 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal
Code to Permit Angled Driveway Widening at
532 Soudan Avenue.
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (September 27, 2002) 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 the existing angled parking pad to remain at 532 Soudan Avenue, which does not meet the requirements of the Code; advising that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; further advising that are no financial implications resulting from the adoption of this report; and recommending that City Council deny the request to permit the existing angled parking pad at 532 Soudan Avenue.

Elaine Cormack was present during consideration of this matter.

On motion by Councillor Walker, the Midtown Community Council recommended that Council approve the application for driveway widening at 532 Soudan Avenue, as shown on Appendix 'B',

notwithstanding that the required setback will not be provided, subject to:

- (a) the parking area not exceeding 2.0 m by 5.3 m;
- (b) the applicant providing the landscape features substantially in accordance with the plan as shown on Appendix 'D', to the satisfaction of 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.

(Clause No. 2, Report No. 8)

**8.3 Construction of a Decorative Wrought Iron Fence, Gates and Pillars - Fronting 46 Old Forest Hill Road and on the Dunloe Road Rear.
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (September 30, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request to construct a decorative wrought iron fence, gates and pillars within the public right of way fronting 46 Old Forest Hill Road and on the Dunloe Road rear; advising that the proposed height and setback of the fence as affecting Old Forest Hill Road do not meet the minimum requirement as set out in Chapter 313 of the former City of Toronto Municipal Code, Streets and Sidewalks; advising that as this is a request for an exemption from the by-law, it is scheduled as deputation item; 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 decorative fence, gates and pillars within the public right of way fronting 46 Old Forest Hill Road and on the Dunloe Road rear, subject to the owner:

- (a) providing a letter of credit/certified cheque in the amount of \$6,069.00 for the estimated value of 4 City owned trees fronting 46 Old Forest Hill Road and 2 City owned trees on the Dunloe Road rear, as determined by the Commissioner of Economic Development, Culture and Tourism to cover the costs of any tree work

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that may arise as a result of the fence, gates and pillars construction that is non-compliant with the City of Toronto's specifications for construction near trees; and

- (b) entering into an encroachment agreement with the City of Toronto as prescribed under Chapter 313 of the former City of Toronto Municipal Code.

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

(Clause No. 3, Report No. 8)

**8.4 Construction and Maintenance of a Temporary
Wooden Building Access Ramp - Greenwood College
School - 443 Mount Pleasant Road (East Branch).
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (September 30, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on the applicant's request to construct and maintain a temporary wooden building access ramp within the public right of way fronting 443 Mount Pleasant Road (East Branch); advising that as this is a request for a variance from the Municipal Code, we are required to report on the application; further advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council approve the construction and maintenance of the temporary wooden building access ramp within the public right of way fronting 443 Mount Pleasant Road (East Branch), subject to the property owner entering into an agreement with the City of Toronto, agreeing to:

- (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted;
- (b) indemnify the City and Utility companies of any damage sustained to the temporary building access ramp in the event of a need to access to the area covered by the building access ramp;
- (c) keep the ramp free of snow and ice at all times including weekends and those times that the school may be closed;
- (d) provide a non-slip surface on the ramp;

- (e) maintain a minimum clearance of 1.34 m clear sidewalk space for pedestrians measured from the curb to the wooden temporary access ramp at all times including the removal of snow and ice and any snow that may be pushed onto the sidewalk area during snow ploughing operations;
- (f) remove the wooden temporary building access ramp upon receiving 30 days written notice from the City to do so; and
- (g) accept such additional conditions as the City Solicitor of the Commissioner of Works and Emergency Services may deem necessary in the interest of the City.

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

(Clause No. 4, Report No. 8)

**8.5 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal Code
to Permit Driveway Widening at 374 Keewatin Avenue.
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (September 25, 2002) 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 374 Keewatin Avenue, which does not meet the requirements of the Code; advising that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; further advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council deny the request to permit driveway widening encroaching onto the mutual driveway at 374 Keewatin Avenue.

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

On motion by Councillor Flint, the Midtown Community Council recommended that Council approve the application for driveway widening at 374 Keewatin Avenue as shown on Appendix 'B', notwithstanding that the parking area will encroach on the mutual driveway, subject to:

- (a) the parking area not exceeding 2.6 m by 5.9 m in dimension;
- (b) 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) the parking area will cease from being used should the property at 378 Keewatin Avenue be sold, until such time as the new owners provide a letter of consent; and
- (d) the applicant agreeing to plant a tree acceptable to the Commissioner of Economic Development, Culture and Tourism on the City boulevard;
- (e) 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 Flint resumed the Chair.

(Clause No. 5, Report No. 8)

**8.6 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal Code
to Permit Driveway Widening for a Second Vehicle
at 378 Keewatin Avenue.
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (September 25, 2002) 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 a second vehicle at 378 Keewatin Avenue, which does not meet the requirements of the Code; advising that as this is an appeal and a request for an exemption from the by-law, it is

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scheduled as a deputation item; further advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council deny the application to permit driveway widening for a second vehicle at 378 Keewatin Avenue.

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

On motion by Councillor Flint, the Midtown Community Council recommended that Council approve the application for driveway widening for a second parking space at 378 Keewatin Avenue, as shown on Appendix 'B', notwithstanding that the required landscaped space cannot be provided, subject to:

- (a) the parking area not exceeding 2.6 m by 5.9 m in dimension;
- (b) the existing asphalt paving being removed and replaced with a semi-permeable paving material, such as ecostone pavers or approved equivalent paving treatment acceptable to the Commissioner of Works and Emergency Services;
- (c) the parking area will cease from being used should the property at 374 Keewatin Avenue be sold, until such time as the new owners provide a letter of consent; 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.

Councillor Flint resumed the Chair.

(Clause No. 6, Report No. 8)

**8.7 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal
Code to Permit Angled Driveway Widening
at 192 Lawrence Avenue East.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (September 30, 2002) 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 angled driveway widening at 192 Lawrence Avenue East, which does not meet the requirements of the Code; advising that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and further advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council deny the application for angled driveway widening at 192 Lawrence Avenue East.

The Midtown Community Council also had before it a communication (October 14, 2002) from John Gagliano requested that the item be deferred.

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

On motion by Councillor Flint, the Midtown Community Council recommended that Council approve the application for angled driveway widening at 192 Lawrence Avenue East, as shown on Appendix "C" notwithstanding the required setback will not be provided subject to:

- (a) the parking area not exceeding 2.6 m by 5.5 m in dimension;
- (b) the applicant providing the landscape features substantially in accordance with the plan as shown on Appendix "D" to the satisfaction of 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 Flint resumed the Chair.

(Clause No. 7, Report No. 8)

**8.8 Request for an Exemption from Chapter 248
of the Former City of Toronto Municipal Code
to Permit Driveway Widening for Two Vehicles
at 196 Sheldrake Boulevard.
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (September 26, 2002 from the Manager, Right of Way Management, Transportation Services, District 1, requesting 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 196 Sheldrake Boulevard, which does not meet the requirements of the Code; advising that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; further advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council deny the request to permit driveway widening for two vehicles at 196 Sheldrake Boulevard.

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

On motion by Councillor Flint, the Midtown Community Council recommended that Council approve the application for driveway widening at 196 Sheldrake Boulevard, as shown on Appendix "A" notwithstanding the required setback will not be provided subject to:

- (a) the parking area not exceeding 2.6 m by 4.72 m in dimension;
- (b) the applicant providing the landscape features substantially in accordance with the plan as shown on Appendix "C" to the satisfaction of 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 Flint resumed the Chair.

(Clause No. 8, Report No. 8)

**8.9 Request for an Exemption from Chapter 400
of the Former City of Toronto Municipal Code
to Permit Front Yard Parking for Two Vehicles
at 256 Old Forest Hill Road.
(St. Paul's – Ward 21)**

The Midtown Community Council had before it a report (September 30, 2002) 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 for two vehicles at 256 Old Forest Hill Road, which does not meet the requirements of the Municipal Code; advising that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; further advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council deny the application for front yard parking at 256 Old Forest Hill Road.

The Midtown Community Council also had before it a petition (not dated) submitted by Joseph Neuberger, signed by approximately 18 people in support of the application.

Michael Hatch, Michael Hatch Designs Ltd., on behalf of the owner, was present during consideration of this matter.

On motion by Councillor Mihevc, the Midtown Community Council recommended that Council approve the application for front yard parking for two parking spaces at 256 Old Forest Hill Road, as shown on appendix 'C', notwithstanding the existing paving does not meet the City's paving specifications and there is excess paving subject to:

- (a) the parking area for each space 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 400, Traffic and Parking, of the former City of Toronto Municipal Code.

(Clause No. 9, Report No. 8)

**8.10 Proposed Installation of Speed Bumps
in the First Laneway North of St. Clair Avenue
West, Between Raglan Avenue and Bathurst Street.
(St. Paul's – Ward 21)**

The Midtown Community Council had before it a report (September 30, 2002) from the Director, Transportation Services, District 1, reporting on the proposed installation of speed bumps in a public lane; advising that the implementation cost of this proposal is approximately \$1,000.00 funds for which are contained in the Works and Emergency Services Department's 2002 Capital Programme for Public Laneway Improvements; and recommending that:

- (1) the installation of speed bumps in the first laneway north of St. Clair Avenue West, between Raglan Avenue and Bathurst Street, of the type and design noted and at the locations shown on Drawing No. 421F-6611 dated September, 2002, be approved; and
- (2) the appropriate City officials be authorized to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

On motion by Councillor Mihevc, the
Midtown Community Council:

- (1) recommended to Council adoption of the foregoing report; and
- (2) requested the Director, Transportation Services, District 1, to submit a report to the Midtown Community Council on the feasibility of installing speed bumps in the first laneway north of St. Clair

Avenue West, between Vaughan
Road and Atlas Avenue.

(Director, Transportation Services, District 1: c.
Commissioner, Works and Emergency Services - October
18, 2002)

(Clause No. 10, Report No. 8)

**8.11 Raglan Avenue, from St. Clair Avenue West,
to Heathdale Road - Request to Reduce
the Maximum Speed Limit from 50 Kilometres
Per Hour to 40 Kilometres Per Hour.
(St. Paul's – Ward 21)**

The Midtown Community Council had before it a report (September 23, 2002) from the Director, Transportation Services, District 1, reporting on a request from Councillor Mihevc, on behalf of area residents, to reduce the maximum speed limit from 50 kilometres per hour to 40 kilometres per hour on Raglan Avenue, between St. Clair Avenue West and Heathdale Road; advising that funds to undertake the necessary signage adjustments in the estimated amount of \$1,200.00, are contained in the Transportation Services Division 2002 Operating Budget; and recommending that:

- (1) the maximum speed limit be reduced from 50 kilometres per hour to 40 kilometres per hour on Raglan Avenue, between St. Clair Avenue West and Heathdale Road; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

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

(Clause No. 11, Report No. 8)

8.12 Newgate Road Both Sides, from Briar Hill Avenue to its North Limit - Request to Introduce a “No Stopping at Anytime” Prohibition. (St. Paul’s – Ward 21)

The Midtown Community Council had before it a report (September 23, 2002) from the the Director, Transportation Services, District 1, reporting on a request to prohibit stopping at all times on both sides of Newgate Road, from Briar Hill Avenue to its north limit; advising that funds to undertake the necessary signage adjustments in the estimated amount of \$1,000.00 are contained in the Transportation Services Division 2002 Operating Budget; and recommending that:

- (1) stopping be prohibited at all times on both sides of Newgate Road, from Briar Hill Avenue to its north limit; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

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

(Clause No. 12, Report No. 8)

8.13 Laneway First South of Vaughan Road Between Winona Drive and Atlas Avenue - Proposed Installation of Speed Bumps. (St. Paul’s – Ward 21)

The Midtown Community Council had before it a report (September 23, 2002) from the Director, Transportation Services, District 1, reporting on a request from Councillor Joe Mihevc, on behalf of area residents, to install speed bumps in the public laneway first south of Vaughan Road, between Winona Drive and Atlas Avenue in order to address concerns regarding excessive speeding; advising that funds to undertake this proposal in the estimated amount of \$2,500.00 are contained in the Transportation Services Division 2002 Operating Budget; and recommending that:

- (1) the installation of speed bumps, generally as shown on the attached print of Drawing No. 421F-6603, dated September 2002, in the public lane first south of Vaughan Road, between Winona Drive and Atlas Avenue, be approved; and

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- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Mihevc, the
Midtown Community Council:

- (1) recommended to Council adoption of the foregoing report; and
- (2) requested the Director, Transportation Services, District 1, to submit a report to the Midtown Community Council on the feasibility of installing speed bumps in the public laneway first south of Vaughan Road, between Winona Drive and Kenwood Road and between Atlas Avenue and Kenwood Road.

(Director, Transportation Services, District 1: c.
Commissioner, Works and Emergency Services - October
18, 2002)

(Clause No. 13, Report No. 8)

**8.14 Boulton Drive, Fronting of Poplar Plains Parkette
Introduction of a Parking Prohibition.
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (September 12, 2002) from the Director, Transportation Services, District 1, responding to a request from Councillor Michael Walker, on behalf of area residents, to prohibit parking on the east side of Boulton Drive fronting the Poplar Plains Parkette; advising that Funds in the estimated amount of \$300.00 are available in the 2002 Transportation Services Operating Budget; and recommending that:

- (1) parking be prohibited at anytime on the east side of Boulton Drive from the south limit of the Poplar Plains Parkette to a point 75 m further north; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that might be required.

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On motion by Councillor Walker, the Midtown Community Council deferred consideration of this matter to its next meeting on November 12, 2002 to permit the Ward Councillor to conduct a community meeting.

(Councillor Walker: c. Director, Transportation Services, District 1; Midtown Community Council - October 18, 2002)

Clause No. 25(a), Report No. 8)

8.15 Bayview Avenue, East Side, Between Eglinton Avenue East and Glenvale Boulevard - Amendments to Parking Regulations. (Don Valley West – Ward 26)

The Midtown Community Council had before it a report (September 30, 2002) from the Director, Transportation Services, District 1, recommending extending the operational period of the afternoon stopping prohibition on the east side of Bayview Avenue, between Eglinton Avenue East and Glenvale Boulevard, to reduce northbound traffic delays during the weekday peak period; 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; and recommending that:

- (1) the existing “No Parking, 4:00 p.m. to 6:00 p.m., except Saturdays, Sundays and Public Holidays” regulation on the east side of Bayview Avenue, between Eglinton Avenue East and the southerly limit of the North York Community Council area, be rescinded;
- (2) the existing “No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday except Public Holidays” regulation on the east side of Bayview Avenue, between the southerly limit of the North York Community Council area and Fifeshire Road, be adjusted to apply from Glenvale Boulevard to Fifeshire Road;
- (3) a “No Stopping, 4:00 p.m. to 7:00 p.m., Monday to Friday except Public Holidays” regulation be enacted on the east side of Bayview Avenue, between Eglinton Avenue East and Glenvale Boulevard; and
- (4) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

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

(Clause No. 14, Report No. 8)

**8.16 All Way Stop Control: Caribou Road and Otter Crescent.
(Ward 16 - Eglinton-Lawrence)**

The Midtown Community Council had before it a report (September 13, 2002) from the Director, Transportation Services, District 3, reporting on the feasibility of installing an all way stop control at the intersection of Caribou Road and Otter Crescent; advising that there are no financial implications resulting from the adoption of this report; and recommending that this report be received for information.

Dr. Harvey Blankenstein was present during consideration of this 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 Caribou Road and Otter Crescent and that the appropriate officials be authorized and directed to take the necessary action to give effect thereto.

(Clause No. 15, Report No. 8)

**8.17 Request to Install Traffic Control Signals:
Gateway Boulevard and Grenoble Drive (North Leg).
(Don Valley West – Ward 26)**

The Midtown Community Council had before it a report (September 30, 2002) from the Director, Transportation Services, District 3, reporting on the feasibility of installing traffic control signals at the intersection of Gateway Boulevard and Grenoble Drive (north leg); advising that there are no financial implications associated with the adoption of this report; and recommending that this report be received for information.

On motion by Councillor Pitfield, the Midtown Community Council recommended the installation of traffic control signals at the intersection of

Gateway Boulevard and Grenoble Drive (north leg) pending budget consideration and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(Clause No. 16, Report No. 8)

**8.18 2195 Yonge Street - Removal of Seven Private Trees.
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2002) from the Commissioner, Economic Development, Culture and Tourism, responding to a request for the removal of seven privately owned trees which has been filed in connection with Site Plan Approval Application No. 301056, with respect to 2195 Yonge Street; 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 2195 Yonge Street be approved subject to:
 - (a) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Site Plan Approval Application No. 301056 commence which warrant the destruction of the trees.
 - (b) the applicant agreeing to plant replacement trees acceptable to the Commissioner of Economic Development, Culture and Tourism; or
- (2) the request for a permit for tree removal at 2195 Yonge Street be denied.

Councillor Walker moved that the request for a permit for tree removal at 2195 Yonge Street be denied.

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

For: Walker
Against: Flint, Johnston, Mihevc, Pitfield

Councillor Johnston moved that:

- (1) the applicant be requested to plant 100 mm caliper trees as the replacement trees; and

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- (2) the request for a permit for tree removal at 2195 Yonge Street be approved subject to:
 - (a) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Site Plan Approval Application No. 301056 commence which warrant the destruction of the trees.
 - (b) the applicant agreeing to plant replacement trees acceptable to the Commissioner of Economic Development, Culture and Tourism.

The foregoing motions (1) and (2) by Councillor Johnston **carried** on the following division of votes:

For: Flint, Johnston, Mihevc, Pitfield
Against: Walker

In summary, the Midtown Community Council recommended to Council that:

- (1) the request for a permit for tree removal at 2195 Yonge Street be approved subject to:
 - (a) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Site Plan Approval Application No. 301056 commence which warrant the destruction of the trees;
 - (b) the applicant agreeing to plant replacement trees acceptable to the Commissioner of Economic Development, Culture and Tourism; and
- (2) the applicant be requested to plant 100 mm caliper trees as the replacement trees.

During consideration of this matter, Councillor Walker requested that:

- (1) the City Solicitor submit a report to the next meeting of the Midtown Community Council on the OMB decision with respect to 2195 Yonge Street; and

- (2) Clause No. 1 of Report No. 5 of the Midtown Community Council consisting of Item (m), entitled "2195 Yonge Street - OMB Case" which City Council on June 18, 19 and 20, 2002, struck out and referred back to the Midtown Community Council for further consideration be included on the agenda for the next meeting of the Midtown Community Council.

(City Solicitor - October 18, 2002)

(Clause No. 17, Report No. 8)

**8.19 31 Glenayr Road - Removal of One Privately Owned Tree.
(St. Paul's – Ward 21)**

The Midtown Community Council had before it a report (September 30, 2002) from the Commissioner, Economic Development, Culture and Tourism, advising that an application for a permit to remove one 59 cm diameter scotch elm tree, located on private property has been filed by Ms. Pearl Wendy Levey, owner of 31 Glenayr Road; advising that there are no financial implications resulting from the adoption of this report; and recommending that the Midtown Community Council:

- (1) deny the request for the removal of one privately owned tree at 31 Glenayr Road;
or
- (2) approve the request for the removal of one privately owned tree at 31 Glenayr Road.

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council adoption of Recommendation No. (1) of the foregoing report, ie, that the request for the removal of one privately owned tree at 31 Glenayr Road, be denied.

(Clause No. 18, Report No. 8)

**8.20 525 Avenue Road (Amsterdam Square Fountain)
Designation Under Part IV of the Ontario Heritage Act.
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (September 25, 2002) from the Commissioner, Economic Development, Culture and Tourism, recommending that the property at 525 Avenue Road (Amsterdam Square Fountain) be designated under Part IV

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

- (1) City Council state its intention to designate the property at 525 Avenue Road (Amsterdam Square Fountain) under Part IV of the Ontario Heritage Act; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

(Clause No. 19, Report No. 8)

**8.21 1477 Bayview Avenue - Garden Court Apartments
Alterations to a Designated Property.
(Don Valley West – Ward 26)**

The Midtown Community Council had before it a report (September 30, 2002) from the Commissioner, Economic Development, Culture and Tourism, seeking authority for alterations to a property at 1477 Bayview Avenue designated under Part IV of the Ontario Heritage Act containing the building known as the Garden Court Apartments; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) the proposed alterations to the balconies of the Garden Court Apartments at 1477 Bayview Avenue (Attachment Nos. 2 and 3) be approved with subsequent details to be submitted to the satisfaction of the Manager of Heritage Preservation Services, Culture Division;
- (2) the proposed alterations to the windows of the Garden Court Apartments at 1477 Bayview Avenue (Attachment Nos. 3 and 4) be approved with subsequent details to be submitted to the satisfaction of the Manager of Heritage Preservation Services, Culture Division; and
- (3) that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

- (i) (October 14, 2002) from Ann Rowan, Toronto Historical Association, opposing the installation of vinyl clad windows;

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- (ii) (October 13, 2002) from Jan Ligget, Acting President, Heritage Cambridge, opposing the alterations;
- (iii) (October 15, 2002) from Terry Russell, opposing the alterations; and
- (iv) (October 15, 2002) from Tim Morawetz, Co-Founder, Art Deco Society of Toronto, opposing the alterations.

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

- Doug Franklin, Heritage Canada Foundation;
- Sandy Robertson;
- Alistair Robertson;
- Steve Murray, Morrison Hershfield;
- David Eckler, AREA Architects, and submitted a written brief;
- Jim Buckley, Advent Property Management;
- Jake Boxer, and submitted a written brief;
- Alex Grenzabach, Chair, Midtown Preservation Panel; and Bill Poole.

The Midtown Community Council:

- (1) recommended to Council adoption of the foregoing report, **moved by Councillor Pitfield**; and
- (2) requested the owner to provide the Ward Councillor with a letter, before the meeting of City Council scheduled to be held on October 29, 2002, such letter to indicate that the owner of the property will review the heating costs of the subject apartments subsequent to the installation of the new windows as proposed in this report with a view to adjusting the rents of the apartments accordingly, **moved by Councillor Mihevc**.

(Mr. Jake Boxer: c. Councillor Pitfield - October 18, 2002)

(Clause No. 20, Report No. 8)

**8.22 Limiting Distance Agreement - Brookdale Park
Adjacent to 435 Brookdale Avenue.
(Ward 16 – Eglinton-Lawrence)**

The Midtown Community Council had before it a report (September 3, 2002) from the Commissioner, Corporate Services, seeking authority to enter into a Limiting Distance Agreement to permit the property owners at 435 Brookdale Avenue a greater percentage of openings than the limiting distance provisions of the Building Code; advising that revenue in the amount of \$5,600.00 is anticipated to be received; and recommending that:

- (1) the City enter into a Limiting Distance Agreement with the property owner at 435 Brookdale Avenue for approximately the most western 2.75 metres (having an approximate area of 42.65 m²) of Brookdale Park located immediately to the east of 435 Brookdale Avenue, for the amount of \$5,000.00, and subject to the property owner paying an administration fee of \$600.00, on such terms and conditions, as are satisfactory to the Commissioner of Economic Development, Culture & Tourism, and in a form and content acceptable to the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

(Clause No. 21, Report No. 8)

**8.23 Preliminary Report - Application to Amend
the Zoning By-law – 73 Jonesville Crescent
– TD ZBL 2002 0007.
(Don Valley East - Ward 34)**

The Midtown Community Council had before it a report (September 30, 2002) from the Acting Director, Community Planning, North District, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application 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;

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

On motion by Councillor Minnan-Wong, the Midtown Community Council adopted the foregoing report and referred same to Clerk's and Planning staff for action.

(Commissioner, Urban Development Services; City Clerk:
c. Acting Director, Community Planning, North District;
Midtown Community Council, Planning File; Interested
Persons - October 18, 2002)

(Clause No. 25(b), Report No. 8)

**8.24 Preliminary Report - Application to Amend
Official Plan and Zoning By-law - 185 Graydon Hall Drive
- TD CMB 2002 0006.
(Don Valley East - Ward 34)**

The Midtown Community Council had before it a report (September 3, 2002) from the Acting Director, Community Planning, North District, providing preliminary information on the above-noted application and seeking Community Council's direction 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;
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act; and
- (4) the applicant be requested to submit a site plan application for approval.

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On motion by Councillor Minnan-Wong, the Midtown Community Council adopted the foregoing report and referred same to Clerk's and Planning staff for action.

(Commissioner, Urban Development Services; City Clerk: c. Acting Director, Community Planning, North District; Midtown Community Council, Planning File; Interested Persons - October 18, 2002)

(Clause No. 25(c), Report No. 8)

8.25 Final Report - Application for Cash Payment-in-Lieu of Parking -2263 and 2273 Yonge Street - Atkins Architects on Behalf of Midtown 1 GP Limited. 002038, TD PLP 2002 0002. (St. Paul's – Ward 22)

The Midtown Community Council had before it a report (September 25, 2002) from the Director, Community Planning, South District, reviewing and recommending approval of an application for a cash payment to the Municipal Parking Fund in lieu of providing and maintaining 4 parking spaces associated with interior alterations and the conversion of a bank/retail store to a bank at 2263 and 2273 Yonge Street; advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council:

- (1) approve the application for a cash payment to the Municipal Parking Fund in lieu of providing and maintaining 4 parking spaces at 2263 and 2273 Yonge Street; and
- (2) authorize the City Solicitor to enter into an agreement with Midtown 1 GP Limited, or the registered owner, in respect of the payment by Midtown 1 GP Limited, or the registered owner, requiring a total payment of \$47,037.84 for the 4 parking spaces, prior to the issuance of a building permit for development at 2263 and 2273 Yonge Street.

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

(Clause No. 22, Report No. 8)

**8.26 Final Report – Application to Amend Zoning
By-law No. 438-86 - 200 Lonsdale Road - Upper Canada College
TDZBA 20020001.
(St. Paul’s – Ward 22)**

At this point in the proceedings, the Midtown Community Council held a statutory public meeting and notice was given in accordance with the Planning Act.

The Midtown Community Council had before it a report (September 26, 2002) from the Director, Community Planning, South District, reviewing and recommending approval of an application to amend the Zoning By-law to allow for one consistent zoning designation across the entire property at 200 Lonsdale Road; advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council:

- (1) amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 2; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

The Midtown Community Council also had before it a communication (October 4, 2002) from James and Sheryl Salter, opposing the application.

The following persons were present during consideration of this matter:

- Peter Van Loan, on behalf of Upper Canada College; and
- Steven Thuringer, Solicitor, on behalf of the applicant.

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

(Clause No. 23, Report No. 8)

**8.27 Final Report - Application to Amend the
Official Plan and Zoning By-law 7625 – 20 Graydon
Hall Drive TD CMB 2002 0008.
(Don Valley East - Ward 34)**

The Midtown Community Council had before it a report (September 30, 2002) from the Acting Director, Community Planning, North District, recommending approval of an application which has been appealed to the Ontario Municipal Board, to amend the Official Plan and the Zoning By-law for 148 units contained in a 14 storey apartment building and two townhouse blocks in addition to 301 units currently on this site; advising that there are no financial implications resulting from the adoption of this report; and recommending that City Council:

- (1) approve Official Plan and Zoning Amendment Application No. TD CMB 2002 0003;
- (2) instruct the City Solicitor together with other appropriate staff, to attend the Ontario Municipal Board hearing to settle the appeals before the Board respecting 20 Graydon Hall Drive, on the basis set forth in this report, including:
 - (i) submitting to the Board, draft by-laws to give effect to amendments to the Official Plan and the Zoning By-law to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
 - (ii) requesting that the Board require, as a condition of approval, that the Owner enter into a Site Plan Agreement under Section 41 of the Planning Act which among other items, will ensure on-site amenities; and
 - (iii) requesting that the Board hold its Order until such time as the Owner and the City have entered into and registered on title to the property, an agreement satisfactory to the Commissioner of Urban Development Services and the City Solicitor pursuant to Section 37 of the Planning Act, to secure the following services and matters:
 - (a) a cash contribution to the City, over and above any contributions made pursuant to Section 42 of the Planning Act, in the amount of \$160,000.00 for parks improvements to Graydon Hall Park at the discretion of the Commissioner of Economic Development in consultation with the local Councilor; to be paid to the City prior to issuance of the first building permit for a building on this site;
 - (b) indoor recreational amenity area of a minimum 131 m² at Graydon Hall Drive, to be shared with outside community groups at the discretion of the owner; construction of such space to be initiated no later than issuance of an above-grade building permit for the

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first residential building on site, and completed, furnished, and ready for use no later than occupancy of the first new residential building on site;

- (c) one tot lot for younger children, minimum area of 110 m²; and one play area for older children, minimum area of 275 m²; at 20 Graydon Hall Drive, to be shared with outside community groups at the discretion of the owner, both play areas completed and equipped prior to occupancy of the first new residential building on site;
 - (d) that the costs of providing the indoor and outdoor amenity areas not be passed on to the tenants of 20 Graydon Hall Drive; and
 - (e) letters of credit be secured prior to building permit to ensure completion of these amenities, and,
- (iv) authorize the appropriate City officials to execute the required Section 37 Agreement.

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

- (i) (October 8, 2002) from Doris Moore, objecting to the application;
- (ii) (October 9, 2002) from Kate Lychnaris and Heinz Gertsch, opposing the application;
- (iii) (October 10, 2002) from Joseph Barna, providing comments regarding the application;
- (iv) (October 11, 2002) from Kim Kovar, Aird and Berlis LLP, providing comments regarding the application; and
- (v) (October 7, 2002) from Tony Vassil, opposing the application.

Naomi Faulkner, Planner, gave a brief presentation with respect to this application.

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

- Steve Placek, and submitted a written brief;
- Richard Harrison;
- Philip J. Levine, Director, IBI Group, on behalf of the applicant;
- Darlene Scott;
- Bev Fardell; and

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- Patrick J. Devine, Solicitor, Goodman and Carr, on behalf of the applicant.

On motion by Councillor Minnan-Wong, as amended by Councillor Walker, the Midtown Community Council:

(A) recommended that Council:

- (1) refuse the application to amend the Official Plan and the Zoning By-law as outlined in the report (September 30, 2002) from the Acting Director, Community Planning, North District;
- (2) instruct the City Solicitor to attend the Ontario Municipal Board hearing (scheduled for December 2, 2002) opposing the application in its present form in the event a settlement cannot be reached by the next meeting of the Midtown Community Council scheduled to be held on November 12, 2002;
- (3) authorize the City Solicitor to retain such outside consultants as she deems necessary; and

(B) referred the matter back to the Acting Director, Community Planning, North District, with the request that he continue to negotiate with the applicant with a view to reaching a settlement and to report back to the Midtown Community Council on the progress of such negotiations for its meeting to be held on November 12, 2002; and, further, that such negotiations

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include the following issues raised at this meeting of the Midtown Community Council:

- (a) increasing the amount of cash contribution to the City (from \$160,000.00 to \$200,000.00) for parks improvements to Graydon Hall Park as described in Recommendation No. (2)(iii)(a) of the aforementioned report;
- (b) amending Recommendation No. (2)(iii)(b) of the aforementioned report to provide that the indoor recreational amenity area be made available for a minimum of 12 days per year for community use, such use to be determined at the discretion of the Commissioner of Economic Development, Culture and Tourism and the Ward Councillor, in consultation with the owner;
- (c) designing and equipping the children's play area to accommodate children aged between 5 and 12 years and providing materials that are CSA approved;
- (d) the owner agreeing that the existing apartment building and the proposed apartment building and townhouses shall remain as rental units and that the owner:

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1. shall not apply for condominium conversion, in respect of the existing and proposed apartment buildings and townhouses pursuant to the Condominium Act S.O. 1998, c.19 (as amended) for a minimum period of ten (10) years after the date the by-law comes into force and effect, and

2. shall not demolish the existing or proposed apartment buildings or townhouses, or apply for a demolition permit in respect thereof, for a minimum period of twenty (20) years after the date the by-law comes into force and effect.

(Acting Director, Community Planning, North District: c. City Solicitor; Philip J. Levine, IBI Group; Midtown Community Council, Planning File; Interested Persons - October 18, 2002)

(Clause No. 24, Report No. 8)

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The Midtown Community Council recessed at the following times:

recessed: 11:55 a.m.
resumed: 2:00 p.m.
recessed: 2:05 p.m.
resumed: 2:15 p.m.

The Midtown Community Council adjourned its meeting at 4:05 p.m.

Chair