

**MIDTOWN COMMUNITY COUNCIL
AGENDA
MEETING NO. 6**

Date of Meeting:	July 8, 2003	Enquiry:	Yvonne Davies
Time:	9:30 a.m.		Administrator
Location:	Council Chambers North York Civic Centre		416-395-7345 mcc@toronto.ca

**DECLARATIONS OF INTEREST PURSUANT TO
THE MUNICIPAL CONFLICT OF INTEREST ACT.**

CONFIRMATION OF MINUTES OF MEETING HELD ON June 10, 2003.

An electronic version will be distributed to the Members.

DEPUTATIONS: Deputation list will be available at the meeting.

COMMUNICATIONS/REPORTS

**1. Request for an Exemption from Chapter 248 of the Former City of Toronto
Municipal Code to Permit Driveway Widening at 255 Elm Road
(Eglinton – Lawrence - Ward 16)**

Report (June 19, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, requesting an exemption to the Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 255 Elm Road, which does not meet the requirements of the Code; that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening at 255 Elm Road.

2. Request for an Exemption for Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Three Vehicles at 24 Duncannon Drive (St. Paul's – Ward 22)

Report (June 19, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, requesting an exemption to the Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for three vehicles at 24 Duncannon Drive, which does not meet the requirements of the Code; that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application to permit driveway widening for three vehicles at 24 Duncannon Drive.

3. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 62 Russell Hill Road (St. Paul's – Ward 22)

Report (June 20, 2003) from Manager, Right of Way Management, Transportation Services, District 1, requesting an exemption to the Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 62 Russell Hill Road, which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening for two vehicles at 62 Russell Hill Road.

4. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening for Two Vehicles at 38 Belsize Drive (St. Paul's – Ward 22)

Report (June 17, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, requesting an exemption to the Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening for two vehicles at 38 Belsize Drive, which does not meet the requirements of the Code; that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening for two vehicles at 38 Belsize Drive.

5. Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 27 Duncannon Drive (St. Paul's – Ward 22)

Report (June 20, 2003) 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 27 Duncannon Drive, which does not meet the requirements of the Code; that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application to permit driveway widening for two parking spaces at 27 Duncannon Drive.

6. Request for an Exemption from Chapter 313 of the Former City of Toronto Municipal Code to Permit Residential Boulevard Parking at 56 Haslemere Road (Don Valley West – Ward 25)

Report (June 19, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, requesting an exemption to the Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, to permit residential boulevard parking at 56 Haslemere Road, which does not meet the requirements of the Code; that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for residential boulevard parking at 56 Haslemere Road.

7. Encroachment Agreement – 31 Rollscourt Drive, North York (Don Valley West – Ward 25)

Report (May 27, 2003) from North District Manager, Municipal Licensing and Standards, Urban Development Services, with respect to a request by Mario Cinelli, applicant and agent of the owner for 31 Rollscourt Dr. (corner lot flanking Heathcote Avenue), for an existing heated driveway entering Heathcote Avenue with a maximum width of 20 feet (6 metres) and a stone border edging running parallel to the driveway, all located along the southside of City property and private property; and recommending that the encroachment be approved, subject to the following conditions:

- (1) that the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) that no claims will be made against the City by the owner(s) for damage occurring to the heated driveway or its elements and stone edging during snow removal;
- (4) that the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (5) the indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance

policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;

- (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Urban Development Services;
- (7) the owner(s) will, at their expense and to the satisfaction of the Commissioner of Urban Development Services, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement; and
- (8) the owners pay the following fees:
 - (i) application fees of \$423.07; and
 - (ii) legal administration cost and registration of \$391.70 (includes GST).

**8. Parking Prohibitions: Douglas Avenue east of Avenue Road
(Eglinton – Lawrence - Ward 16)**

Report (June 17, 2003) from the Director, Transportation Services, District 3, prohibiting parking at anytime on the north side of Douglas Avenue, east of Avenue Road; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the no parking at anytime prohibition on the north side of Douglas Avenue, from Avenue Road to a point 40 metres east;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the no parking at anytime prohibition on the north side of Douglas Avenue, from a point 73 metres east of Avenue Road to the east limit of Douglas Avenue; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime from the easterly limit of Avenue Road to a point 115 metres east of the easterly limit of Avenue Road.

**9. Removal of On-Street Parking Space for Persons with Disabilities
(Eglinton – Lawrence - Ward 16)**

Report (June 20, 2003) from the Director, Transportation Services District 1, requesting the removal of an on-street disabled persons' parking space; and recommending that:

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

10. Dunloe Road, West Side, between Hawarden Crescent and Archer Road - Request for the Installation of a Disabled Person's Parking Space Fronting Forest Hill Public School (St. Paul's – Ward 22)

Report (June 18, 2003) from the Director, Transportation Services District 1, with respect to providing parking opportunities for disabled persons fronting Forest Hill Public School; and recommending that:

- (1) a disabled person's parking space be installed on the west side of Dunloe Road, from a point 9.0 metres north of Hawarden Crescent to a point 5.5 metres further north thereof;
- (2) the existing "Student Pick-up/Drop-off Zone" operating with a 15-minute maximum parking limit from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m. and from 3:00 p.m. to 6:00 p.m., Monday to Friday on the west side of Dunloe Road, from Hawarden Crescent to Archer Road, be adjusted to operate on the west side of Dunloe Road, from a point 14.5 metres north of Hawarden Crescent to Archer Road; and
- (3) appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any bills that are required.

11. Traffic Calming (Speed Humps) Old Yonge Street, from York Mills Road to Campbell Crescent (Don Valley West – Ward 25)

Report (June 25, 2003) from the Director, Transportation Services, District 3, reporting on the results of the speed hump poll that was undertaken of the residents of Old Yonge Street, between York Mills Road and Campbell Crescent; and recommending that:

- (1) as a satisfactory poll of residents on Old Yonge Street was achieved, the following adopted recommendations within Clause J(4), as adopted by City Council at its meeting of May 21, 22, and 23, 2003, be implemented;
 - (a) a by-law be prepared and public notice be given pursuant to the Municipal Act and Municipal Class Environmental Assessment Act for the alteration of sections of the roadway on Old Yonge Street for traffic calming purposes, described as the construction of speed humps on Old Yonge Street, generally as shown on Drawing No. NY-1451, attached; and
 - (b) pursuant to the requirements of “Schedule B” of the Municipal Class Environmental Assessment Act and upon approval of a by-law by Council, Notice of Completion be issued.
- (2) subject to all competing priorities and available funding, this project, based upon it’s score of 31 points out of a possible 100, be included as part of the 2003 Transportation Services Capital Budget; and
- (3) 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.

12. Sutherland Drive between Glenvale Boulevard and the Northerly Limit of Sutherland Drive – Amendments to Parking Regulations (Don Valley West – Ward 26)

Report (May 29, 2003) from the Director, Transportation Services District 1, recommending that parking regulation amendments on Sutherland Drive, between Glenvale Boulevard and the northerly limit of Sutherland Drive, to allow for safe and efficient two-way traffic operation; and recommending that:

- (1) a “No Parking Anytime” regulation be enacted on both sides of Sutherland Drive between Glenvale Boulevard and the northerly limit of Sutherland Drive, 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.

**13. Lane Designations: Lesmill Road at Duncan Mill Road
(Don Valley – Ward 34)**

Report (June 16, 2003) from the Director, Transportation Services, District 3, designating the southbound traffic lanes on Lesmill Road at Duncan Mill Road; and recommending that:

- (1) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the easterly southbound traffic lane on Lesmill Road for left turns only, at anytime between the southerly limit of Duncan Mill Road and a point 85 metres northerly thereof; and
- (2) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the westerly southbound traffic lane on Lesmill Road for through traffic only, at anytime between the southerly limit of Duncan Mill Road and a point 85 metres northerly thereof.

**14. 400 Eglinton Avenue West (Eglinton Theatre) – Alterations to a Heritage Building and Designation under Part IV of the Ontario Heritage Act
(Eglinton – Lawrence – Ward 16)**

Report (June 4, 2003) from the Commissioner Economic Development, Culture and Tourism, on approving alterations to the property at 400 Eglinton Avenue West (Eglinton Theatre) and to recommend that the property be designated under Part IV of the Ontario Heritage Act; and recommending that:

- (1) City Council state its intention to designate the property at 400 Eglinton Avenue West (Eglinton Theatre) under Part IV of the *Ontario Heritage Act*;
- (2) the alterations to the Heritage Building substantially as shown in the drawings prepared by Munge/Leung: design associates, date stamped May 22, 2003 by Heritage Preservation Services, be approved subject to the inclusion of following conditions in a Site Plan Undertaking/Agreement:
 - (a) the Owner shall at all times maintain the Heritage Building in as good and as sound a state of repair as a prudent owner would normally do, so that no deterioration in the Heritage Building's condition and appearance shall take place;
 - (b) the Owner shall at all times keep the Heritage Building insured against normal perils that are coverable by fire and extended coverage insurance in an amount equal to the full replacement cost of the Building. The Owner shall deposit with Heritage Preservation Services within three weeks of the execution of this Agreement, a certificate of insurance in respect of the insurance policy referred to above with limits and in a form

acceptable to Heritage Preservation Services. Thereafter evidence satisfactory to the City of the renewal of insurance shall be delivered to the city at least three business days before the termination of the policy;

- (c) the Owner shall not erect or permit the erection on the Heritage Building any signs, awnings, aerials or other objects of a similar nature without the prior written approval of the Manager of Heritage Preservation Services;
 - (d) the Owner safely store on site the existing hanging lights in the auditorium, should the lights not be used in the redevelopment; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**15. 77 St. Edmund's Drive (Wilfred S. Dinnick House and Garage)
(Don Valley West - Ward 25)**

Report (June 2, 2003) from the City Clerk, recommending that:

- (1) Council authority be granted for the introduction of the necessary Bill in Council to designate 77 St. Edmund's Drive for cultural heritage value or interest under Part IV of the Ontario Heritage Act; and
- (2) the appropriate City officials be directed to take whatever action may be necessary to comply with the provisions of the said Act in respect to such designations

16. Ontario Municipal Board Hearing – Committee of Adjustment Appeals - 39 Green Belt Drive (Don Valley East – Ward 34)

Report (June 20, 2003) from the City Solicitor advising Midtown Community Council of the outcome of the Ontario Municipal Board appeal; and recommending that this report be received for information.

**17. Naming of Proposed Public Street at 1929 Bayview Avenue
(Don Valley West – Ward 26)**

Report (June 23, 2003) from the City Surveyor, Works and Emergency Services, recommending that:

- (1) the proposed public street to be located at 1929 Bayview Avenue, as shown on Attachment No. 1, be named "Colonel Baker Drive"; and

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

18. Sign By-law Variance Application – Owner: Shell Canada 1586 Bathurst Street Applicant: Shell Canada, File Number: 10/4/47 – 1 (St. Paul’s - Ward 21)

Joint report (June 16, 2003) from the Director, Community Planning, West District, and the Director of Building and Deputy Chief Building Official, West District, with respect to an application for variances from Sign By-law No. 3369 – 79, as amended for the former City of York; advising that the proposed variances are to permit a 3.84 square metres illuminated incidental “ATM/LOTTO” wall sign, and a permanent 2.37 square metres non-illuminated poster panel wall sign; that both signs are proposed for the outdoor wall of the new convenience store located on the Shell Canada property located at 1586 Bathurst Street; and recommending that:

- (1) the application for relief from the provisions of the former City of York Sign By-law No. 3369-79, as amended to permit an 0.84 square metres illuminated incidental wall sign, and a permanent 2.37 square metres non-illuminated Poster Panel sign, on the east elevation wall of the convenience store building located at 1586 Bathurst Street, be approved as variances to the Sign By-law subject to a building permit being obtained and the signs being installed substantially in accordance with the application plans on file with the Building Division, West District; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

19. Request For Approval of a Minor Variance From Chapter 297, Signs, of the Former City Of Toronto Municipal Code To Permit, for Identification Purposes, a Non-Illuminated Fascia Sign on the East Elevation of the Building at 43 Eglinton Avenue East, 902093, 02-102593 (St. Paul’s, Ward 22)

Report (June 2, 2003) from the Director, Community Planning, South District, reviewing and making recommendations on a request by Cathie Gilbert on behalf of Roxygold Developments Inc. for approval of a minor variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for identification purposes, a non-illuminated fascia sign on the east elevation of the building at the above noted location; and recommending that:

- (1) the request for a minor variance be **approved** to permit, for identification purposes, a non-illuminated fascia sign on the east elevation of the building at 43 Eglinton Avenue East; and

- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

20. Request for Variance(s) from the Former City of North York Sign By-law No. 30788, as Amended, for the Erection of a Third Party Advertising Roof Sign at 1811 Avenue Road (Eglinton-Lawrence – Ward 16)

Report (June 23, 2003) the Director of Building and Deputy Chief Building Official, with respect to a request by Leroy Casanova of Astral Media Outdoor on behalf of the owners of the property, 983829 Ontario Limited, for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of an off premise roof sign on a commercial building; and recommended that the request for variance be refused for the reasons outlined in this report.

21. Request for Exemption, Chapter 591, Toronto Municipal Code, Noise Capital Works Projects (Wards 16, 25 and 34 within Midtown Community Council Area)

Report (June 24, 2003) from Director, District Engineering Services Works and Emergency Services, requesting an exemption to the provisions of the Toronto Municipal Code, Chapter 591 regarding noise, and recommending that Council grant an exemption to the provisions of the Toronto Municipal Code, Chapter 591 regarding noise to facilitate capital works projects as described in this report.

22. Proposed Re-naming of Don Mills Parkette to Macklin Hancock Parkette (Don Valley East – Ward 34)

Report (June 24, 2003) from the Commissioner of Economic Development, Culture and Tourism, seeking approval for the proposed re-naming of Don Mills Parkette to Macklin Hancock Parkette; and recommending that:

- (1) Council approve the proposed re-naming of Don Mills Parkette to Macklin Hancock Parkette, supported by the meeting of all criteria outlined in the Naming and Renaming of Parks Policy, as approved by Council on November 25, 26, 27, 1998; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

23. Preliminary Report – Application to Amend Zoning By-law 438-86; The Incumbent and Church Wardens of the Church of St. Clement, Eglinton - 70 St. Clements Avenue (59 Briar Hill Road) File No. 103021, TD ZBL 2003 0003 (Eglinton – Lawrence, Ward 16)

Report (June 4, 2003) from the Director, Community Planning, South District, providing preliminary information on the above-noted application and seeking Community Council's directions of further processing of the application and on the community consultation process; 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.

24. Preliminary Report – Application to Amend the Zoning By-law - City of Toronto as per Toronto Parking Authority (Turner Fleischer Architects Inc.) – 453 Spadina Road, No. 203005, TD CMB 2003 0009 (St. Paul's, Ward 22)

Report (June 19, 2003) from the Director, Community Planning, South 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; 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.

25. Refusal Report – Applications to Amend the Official Plan and Zoning By-law, Burnac Holdings Limited (Northgrave Architect Inc.), 700 Huron Street 103022, TD CMB 2003 0007 (St. Paul's, Ward 22)

Report (June 19, 2003) from the Director, Community Planning, South District, recommending refusal of the applications to amend the Official Plan and the Zoning By-law for a proposed residential development of 483 dwelling units contained within

two apartment buildings, 8 and 11-storeys in height, and seven 3-stiret townhouses; and recommending that Council:

- (1) refuse Official Plan and Zoning By-law Amendment Application 103022;
- (2) request the City Solicitor, the Commissioner of Urban Development Services, and any other appropriate staff to oppose any Ontario Municipal Board appeal and referral made by the applicant on Application No. 103022; and
- (3) authorize and direct the appropriate City officials to take the necessary actions to give effect thereto.

26. Final Report – Application to Amend the Official Plan and Zoning By-law 7625 – 185 Graydon Hall Drive, Kurt and Julita Pieckenhagen, TD CMB 2002 0006 (Don Valley East – Ward 34)

Public Meeting under the Planning Act – 10:30 a.m. or as soon as possible thereafter.

Report (June 19, 2003) from the Acting Director, Community Planning, North District reviewing and recommending approval of an application to amend the Official Plan and the Zoning By-law to permit an additional use (Banquet Hall) at 185 Graydon Hall Drive and to amend the provisions of the zoning by-law with respect to outdoor music. Amendments to parking space standards are also required; and recommending that:

- (1) amend the Official Plan substantially in accordance with the draft Official Plan Amendments attached as Attachments No. 7 and No. 8;
- (2) amend Zoning By-law 7625 for the City of North York substantially in accordance with the draft Zoning By-law Amendments attached as Attachments No. 9 and No. 10; and
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-law Amendments as may be required.

26(a). Communication (June 23, 2003) from Laurel Amalia.

27. Request for a Pedestrian Crossover – York Mills Road at Birchwood Avenue (Don Valley West – Ward 25)

Report (June 24, 2003) from the Director, Transportation Services, District 3, with respect to a request to install a Pedestrian Crossover (PXO) on York Mills Road, in the vicinity of Birchwood Avenue; and recommending that a PXO not be installed on York

Mills Road, in the vicinity of Birchwood Avenue and that this report be received for information only.