

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Midtown Community Council

Meeting No. 4

Tuesday, May 6, 2003

The Midtown Community Council met on Tuesday, May 6, 2003 in the Council Chambers, North York Civic Centre, Toronto, commencing at 9:37 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

Councillor Flint in the Chair.

Confirmation of Minutes.

On motion by Councillor Walker, the Minutes of the meeting of the Midtown Community Council held on April 1, 2003, were confirmed.

4.1 The Naming of a New Park on Vanderhoof Avenue to Leonard Linton Park (Don Valley West – Ward 26)

The Midtown Community Council had before it a report (February 5, 2003) from the Commissioner, Economic Development, Culture and Tourism; recommending that:

- (1) the new park at 135 Vanderhoof Avenue be officially named Leonard Linton Park; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

- Graham Linton;
- Paul Martin;
- Raymond Hunt; and
- Leonard Linton.

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

(Clause No. 1, Report No. 4)

**4.2 Installation of On-Street Parking Space for Persons with Disabilities
(Eglinton-Lawrence – Ward 16)**

The Midtown Community Council was advised the report (March 17, 2003) from the Director, Transportation Services, District 1, regarding the installation of an on-street disabled persons' parking space was withdrawn it because it was previously dealt with.

(Clause No. 23(a), Report No. 4)

4.3 Proposed Installation of Speed Bumps in the First Public Lane South of Vaughan Road, between Atlas Avenue and Kenwood Avenue (St. Paul's – Ward 21)

The Midtown Community Council had before it a report (April 17, 2003) from the Director, Transportation Services, District 1, recommending that:

- (1) the installation of speed bumps in the first public lane south of Vaughan Road, between Atlas Avenue and Kenwood Avenue, of the type and design noted and at the locations shown on Drawing Nos. 421F-6725, 421F-6726, 421F-6727, 421F-6728, 421F-6729, 421F-6730, 421F-6731 and 421F-6732 be approved; and
- (2) 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.

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

(Clause No. 23(b), Report No. 4)

**4.4 Installation of On-Street Parking Space for Persons with Disabilities
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (April 17, 2003) from the Director, Transportation Services, District 1, recommending that:

- (1) the installation 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.

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

(Clause No. 2, Report No. 4)

4.5 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for a Second Vehicle at 64 Duplex Avenue (St. Paul's – Ward 22)

The Midtown Community Council had before it a report (April 17, 2003) from the Director, Transportation Services, District 1, regarding 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 64 Duplex Avenue, which does not meet the requirements of the Code; advising that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that Council deny the application to permit driveway widening for a second vehicle at 64 Duplex Avenue.

Jane Kettles was present during discussion of this matter.

On motion by Councillor Walker, the Midtown Community Council recommended that Council approve the application for driveway widening for a second parking space at 64 Duplex Avenue, as shown on Appendix 'A', subject to:

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- (a) the parking area for each space not exceeding 2.25 m by 5.9 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;
- (c) the existing concrete paving being removed and the parking area being paved with a semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
- (d) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

(Clause No. 3, Report No. 4)

4.6 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening for Two Vehicles at 35 Coulson Avenue (St. Paul's – Ward 22)

The Midtown Community Council had before it a report (April 16, 2003) from the Director, Transportation Services, District 1, regarding 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 for two vehicles at 35 Coulson Avenue, which does not meet the requirements of the Code; advising that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that Council deny the application for angled driveway widening for two vehicles at 35 Coulson Avenue.

Barbara Lanys, Solicitor, on behalf of the owner, was present during discussion of this matter.

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

approve the application for angled driveway widening for two parking spaces at 35 Coulson Avenue, as shown on Appendix 'B', notwithstanding there is excess paving, subject to:

- (a) the parking area not exceeding 2.6 m by 5.9 m in dimension for the parking space closest to the building and 2.6 m by 4.6 m in dimension for the second parking space;
- (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. 4, Report No. 4)

4.7 Premises No. 2195 Yonge Street (the Minto Midtown Development) Establishment of a Construction Staging Area (St. Paul's – Ward 22)

The Midtown Community Council had before it a report (April 22, 2003) from the Director, Transportation Services, District 1, recommending that:

- (1) the request for the establishment of a construction staging area at Premises No. 2195 Yonge Street within the east curb lane of Yonge Street, from approximately 40 metres north of Soudan Avenue to a point approximately 162 metres north of Soudan Avenue be approved;
- (2) stopping be prohibited at all times on both sides of Yonge Street, from a point 30.5 metres north of Soudan Avenue to a point approximately 170 metres north of Soudan Avenue;
- (3) the parking regulations presently in effect on the subject section of Yonge Street be reinstated upon the completion of this project; and

- (4) the appropriate City Officials be authorized and directed to take the necessary action to implement the foregoing, including the introduction in Council of any Bills that may be required.

On motion by Councillor Walker, the Midtown Community Council deferred consideration of the foregoing report to its next meeting scheduled for June 10, 2003, to allow the Ward Councillor to hold a community consultation meeting.

(Clause No. 23(c), Report No. 4)

4.8 Maintenance of an Enclosed Porch – 7 Garden Circle, Evergreen Gardens Flank (Don Valley West – Ward 26)

Report (April 16, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, recommending that Council approve the maintenance of the enclosed porch within the public right of way on the Evergreen Gardens flank of 7 Garden Circle, subject to the property owner entering into an agreement with the City of Toronto.

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

(Clause No. 5, Report No. 4)

4.9 Parking Prohibitions: Cranbrooke Avenue (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (April 10, 2003) from the Director, Transportation Services, District 3, recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking Anytime prohibitions on the south side of Cranbrooke Avenue, from a point 45 metres east of the easterly limit of Bathurst Street to a point 91 metres east of the easterly limit of Bathurst Street;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the north side of Cranbrooke Avenue, from a point 50 metres east of the easterly limit of Bathurst Street to the easterly limit of Cranbrooke Avenue (cul-de-sac), between the hours 8:00 a.m. and 6:00 p.m.;

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- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the south side of Cranbrooke Avenue, from a point 50 metres east of the easterly limit of Bathurst Street to the easterly limit of Cranbrooke Avenue (cul-de-sac), between the hours of 6:00 p.m. and 8:00 a.m.; and
- (4) Schedule X of By-law No. 31001, of the former City of North York, be amended to permit parking on the south side of Cranbrooke Avenue, from a point 50 metres east of the easterly limit of Bathurst Street to the easterly limit of Cranbrooke Avenue (cul-de-sac), for maximum periods of 10 minutes, between the hours of 8:00 a.m. and 6:00 p.m.

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

(Clause No. 6, Report No. 4)

**4.10 All Way Stop Control: Birchwood Avenue and Munro Boulevard
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (April 9, 2003) from the Director, Transportation Services, District 3, recommending that this report be received for information purposes only.

Flo Chapman was present during discussion of this matter.

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

On motion by Councillor Flint, the Midtown Community Council recommended the installation of an all-way stop control at the intersection of Birchwood Avenue and Munro Boulevard.

Councillor Flint resumed the Chair.

(Clause No. 7, Report No. 4)

4.11 Parking Prohibitions: Blanchard Road (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (April 17, 2003) from the Director, Transportation Services, District 3, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on both sides of Blanchard Road, from the easterly limit of Blyth Hill Road to the westerly limit of Blyth Dale Road, between the hours of 8:00 a.m. and 4:00 p.m., Monday to Friday.

The Midtown Community Council also had before it a communication (May 6, 2003) from Jeff McNair.

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

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

- (1) that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on one side of Blanchard Road, from the easterly limit of Blyth Hill Road to the westerly limit of Blyth Dale Road, between the hours of 8:00 a.m. and 4:00 p.m., Monday to Friday;
- (2) the Commissioner of Works and Emergency Services determine on which side of Blanchard Road to prohibit parking; and
- (3) that the Commissioner of Works and Emergency Services report back to the Midtown Community Council one year after the installation of the parking prohibitions.

Councillor Flint resumed the Chair.

(Clause No. 8, Report No. 4)

4.12 Traffic Calming (Speed Humps) Sandfield Road (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (April 14, 2003) from the Director, Transportation Services, District 3, recommending that:

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- (1) as a satisfactory poll of residents on Sandfield Road was achieved, the following adopted recommendations within Clause No. 16, Report No. 1 of the Midtown Community Council, which was adopted without amendment by City Council at its meeting of February 4, 5, and 6, 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 Sandfield Road for traffic calming purposes, described as the construction of speed humps on Sandfield Road, generally as shown on Drawing No. NY-1413, 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 24 points out of a possible 100, be included as part of the 2003 Transportation Services Capital Budget; and
- (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

Robert Landau was present during discussion of this matter.

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

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

Councillor Flint resumed the Chair.

(Clause No. 9, Report No. 4)

4.13 Turn Lane Designation – Bayview Avenue at Truman Road and Fifeshire Road (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (April 22, 2003) from the Director, Transportation Services, District 3, recommending that:

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- (1) the northbound curb lane on Bayview Avenue at Truman Road/Fifeshire Road be designated for right turns only, buses excepted, between Truman Road and a point 70 metres southerly thereof;
- (2) as part of the scheduled resurfacing of Bayview Avenue, the northbound near side transit stop on Bayview Avenue at Truman Road/Fifeshire Road be relocated southerly to allow for the closure of the curb lane at the Bayview Avenue/Truman Road/Fifeshire Road intersection; and
- (3) the appropriate by-law(s) be amended, accordingly.

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

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

Councillor Flint resumed the Chair.

(Clause No. 10, Report No. 4)

4.14 Parking Prohibitions: Yewfield Crescent (Don Valley East – Ward 34)

The Midtown Community Council had before it a report (April 10, 2003) from the Director, Transportation Services, District 3, recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking, 8:00 a.m. to 8:00 p.m., Monday to Friday, prohibitions on both sides of Yewfield Crescent, from the northerly limit of Farmcote Road (west leg) to the northerly limit of Farmcote Road (east leg); and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 7:00 p.m., Monday to Friday, on both sides of Yewfield Crescent, from the northerly limit of Farmcote Road (west leg) to the northerly limit of Farmcote Road (east leg).

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

(Clause No. 11, Report No. 4)

4.15 Encroachment Agreement – 69 Joicey Boulevard (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it report (April 15, 2003) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, recommending that the encroachment be approved subject to the following conditions:

- (1) 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) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (3) no arrow-head type tops or sharp edges be permitted on the wrought iron fence;
- (4) no claims will be made against the City by the owner(s) for damage occurring to the retaining wall, sprinklers, shrubs and stone edging during snow removal;
- (5) 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;
- (6) 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;
- (7) 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;
- (8) 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;
- (9) the owners pay the following fees:
 - (i) application fees of \$423.07
 - (ii) legal administration cost and registration of \$391.70 (includes GST).

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

(Clause No. 12, Report No. 4)

4.16 Encroachment Report – 26 Doncliffe Drive (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (March 14, 2003) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, recommending that:

- (1) the encroachment be approved by the City subject to the condition 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) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

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

Councillor Flint resumed the Chair.

(Clause No. 13, Report No. 4)

4.17 Encroachment – 62 Woodthorpe Road (Don Valley East – Ward 34)

The Midtown Community Council had before it a report (April 7, 2003) from the Director, Development Engineering, Works and Emergency Services, recommending that:

- (1) the encroachment be approved by the City subject to the owner(s) entering into an agreement with the City with terms satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor; and
- (2) the appropriate City officials be authorized to do all things necessary to give effect to the foregoing.

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

(Clause No. 14, Report No. 4)

4.18 357 Bedford Park Avenue – Tree Removal Request (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (April 15, 2003) from the Commissioner, Economic Development, Culture and Tourism, recommending that Midtown Community Council approve the request for the removal of one City owned tree located at 357 Bedford Park Avenue conditional on:

- (i) the applicant paying for the appraised value and removal costs of the Green Ash tree, that is \$8,175.00;
- (ii) the subject tree not being removed until permitted construction and/or demolition related activities in accordance with plans commence and warrant the destruction of the tree;
- (iii) the applicant planting one 70 mm Kentucky Coffee tree replacement to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
- (iv) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$588.00 to cover the costs of planting and maintenance of the 70-mm tree on City property.

The Midtown Community Council also had before it a communication (undated) from Maria and Guy Rizzo.

Gaetano Rizzo, was present during discussion of this matter.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council adoption of Recommendations Nos. (ii), (iii) and (iv) of the foregoing report and referred Recommendation No. (i) to the local Councillor with a request that she consult with Forestry staff, the Tree Advocate, and the applicant and report thereon directly to Council.

(Clause No. 15, Report No. 4)

4.19 3885 Yonge Street (The Jolly Miller Tavern) Proposed Alterations to a City-Owned Designated Heritage Property (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (April 15, 2003) from the Commissioner, Economic Development, Culture and Tourism, recommending that:

- (1) City Council approve, under Part IV of the *Ontario Heritage Act*, the alterations to the property at 3885 Yonge Street (The Jolly Miller Tavern) illustrated in the attached drawings, and consistent with the Restoration Plan prepared by Goldsmith Borgal and Company Limited Architects, dated April 6, 2003 also attached to this report, subject to the following conditions:
 - (a) prior to the issuance of any building permits under the Building Code Act 1992, the applicant shall provide an undertaking in a form satisfactory to the City Solicitor:
 - (i) in which the applicant agrees to hire and utilize a qualified restoration architect to the satisfaction of the Manager, Heritage Preservation Services, to oversee all of the alterations to the designated heritage property referred to in (1) above;
 - (ii) in which the applicant commits to carry out the restoration work described in the Restoration Plan referred to in (1) above to the satisfaction of the Manager, Heritage Preservation Services by December 31, 2003 or such later date approved by Council;
 - (iii) to comply with the terms of the lease and any other conditions deemed necessary by the Commissioner of Economic Development, Culture and Tourism and/or the City Solicitor to protect the City's interest;
 - (b) prior to the issuance of any building permits under the Building Code Act, 1992, the applicant shall provide a letter of credit in a form and amount satisfactory to the Manager, Heritage Preservation Services to cover the cost of the restoration work illustrated in the attached plans and described in the Restoration Plan referred to in (1) above; and
- (2) 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 a report (April 25, 2003) from the City Clerk, Toronto Preservation Board, recommending the adoption of the report (April 15, 2003) from the Commissioner of Economic Development, Culture and Tourism.

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

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

Councillor Flint resumed the Chair.

(Clause No. 16, Report No. 4)

4.20 Surplus Land Declaration and Proposed Closing of Part of the Un-named Public Highway Abutting the West Limit of Premises No. 78 Manor Road East (St. Paul's – Ward 22)

The Midtown Community Council had before it a joint report (April 14, 2003) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, recommending that:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and following Council's approval of a sale of the Highway, the Highway be permanently closed as a public highway;
- (2) following Council's approval of a sale of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, and the Midtown Community Council hear any member of the public who wishes to speak to this matter;
- (3) the Highway be declared surplus to the City's requirements and the Commissioner of Corporate Services be authorized to negotiate an offer to purchase from the abutting property owner;
- (4) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any bills necessary to give effect thereto.

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

(Clause No. 17, Report No. 4)

4.21 Assumption of Services – Subdivision Owned by 1165709 Ontario Limited Plan 66M-2350, Subdivision File UDSB – 1242 Rumi Crescent (Don Valley East – Ward 34)

The Midtown Community Council had before it a report (April 10, 2003) from the Director, Development Engineering, Works and Emergency Services, advising that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2350, dated August 2, 2000, between 1165709 Ontario Ltd. and the City of Toronto are in the required condition to be assumed by the City; and recommending that:

- (1) an assumption by-law be passed to assume the municipal services in Subdivision Plan 66M-2350; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

(Clause No. 18, Report No. 4)

4.22 Assumption of Services – Subdivision Owned by 1165709 Ontario Limited, Plan 66M-2328, Subdivision File UDSB – 1229 Sufi Crescent (Don Valley East – Ward 34)

The Midtown Community Council had before it a report (April 10, 2003) from the Director, Development Engineering, Works and Emergency Services, advising Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2328, dated October 28, 1998, between 1165709 Ontario Ltd. and the City of Toronto are in the required condition to be assumed by the City; and recommending that:

- (1) an assumption by-law be passed to assume the municipal services in Subdivision Plan 66M-2328; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

(Clause No. 19, Report No. 4)

4.23 Preliminary Report – Application to Amend the North York Official Plan and Zoning By-law 7625 - Oriole York Mills United Church and Ewart Angus Homes Inc. (Montgomery Sisam Architects Inc.) 2609 Bayview Avenue TB CMB 2003 0002 (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (April 14, 2003) from the Acting Director, Community Planning, North District, providing preliminary information on the above-noted application and to seek 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; and
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres on the site.

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

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

Councillor Flint resumed the Chair.

(Clause No. 23(d), Report No. 4)

4.24 Preliminary Report - Application to amend Zoning By-law 1916 1500022 Ontario Limited (Turner Fleischer Architects Inc.) 851 Millwood Road - File Number TD ZBL 20030002 (Don Valley West, Ward 26)

The Midtown Community Council had before it a report (April 14, 2003) from the Director, Community Planning, South District, providing preliminary information on the development proposal for 851 Millwood Road 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.

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

(Clause No. 23(e), Report No. 4)

4.25 Preliminary Report – Applications to Amend the Official Plan and Zoning By-law – Kolter Property Company, Page and Steele, Architect, 1900 Bayview Avenue File Number TD CMB 2003 0005 (Don Valley West - Ward 25)

The Midtown Community Council had before it a report (April 22, 2003) from the Acting Director, Community Planning, North District, providing preliminary information on the above-noted application and to seek Community Council's directions on further processing of the applications 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.
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

Sara Marino, on behalf of the Bayview-Blythwood Ratepayers' Association, appeared before the Community Council with respect to this matter and submitted a written brief.

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

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On motion by Councillor Flint, the Midtown Community Council adopted the foregoing report as amended to provide that:

- (1) the schematic map be replaced to more accurately reflect the site; and
- (2) two community consultation meetings be held: one for the Lawrence Park Community to the north; and one for the Broadway area and residents in Ward 26 to the south; that the area notification be determined in consultation with Councillors Pitfield and Flint and local ratepayers' associations and that the notification to the wider area be the responsibility of the Councillors.

(Clause No. 23(f), Report No. 4)

4.26 Final Report – Removal of Holding (H) Symbol 350 Rumsey Road, Bloorview MacMillan Centre (Montgomery Sisam Associates Inc.) UDOZ 00 20 (Don Valley West – Ward 26)

The Midtown Community Council had before it a report (April 10, 2003) from the Acting Director, Community Planning, North District, recommending approval of an application to amend Zoning By-law 124-2002 RM3(7) (H) to permit the development of a new building for the Bloorview MacMillan Centre located at 350 Rumsey Road; and recommending that Council:

- (1) amend Zoning By-law 124-2002 RM3(7)(H) for the former City of North York substantially in accordance with the draft Zoning By-law attached as No. 3; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law as may be required; and
- (3) before introducing the necessary Bills to City Council for enactment, require the Owner to register the Plan of Subdivision TD SUB 2001 0001 and the Subdivision Agreement which creates the new public road from Rumsey Road west to Bayview Avenue.

The Midtown Community Council also had before it a communication (April 22, 2003) from Warren Yule, Bloorview MacMillan Children's Centre.

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Ivan Fleischmann, Solicitor, Miller Thomson, on behalf of Bloorview MacMillan Centre, was present during discussion of this matter.

On motion by Councillor Pitfield, the Midtown Community Council recommended to Council adoption of the foregoing report (April 10, 2003) from the Acting Director, Community Planning, North District, as amended by adding the following new Recommendation No. (4):

“(4) authorize and direct the Commissioner of Works and Emergency Services and the City Solicitor, in finalizing the Subdivision Agreement, to make provision for the following:

- (a) that traffic lights be installed at Bayview Avenue and the public access road as soon as possible; and
- (b) that Letters of Credit in the amount of \$133,000.00 be submitted by the applicant to the City and that \$100,000.00 be returned to the applicant upon the installation of the access gate at Rumsey Road and \$33,000.00 be returned to the applicant upon the completion of the sewer severance at Rumsey Road”.

(Clause No. 20, Report No. 4)

4.27 Final Report – Application to Amend the Official Plan and Zoning By-law and for Site Plan Approval – 150 Roehampton Avenue, The Roehampton Corporation (Page and Steele Architects Application No. 202004, TDCMB 2002 004 (St. Paul’s – Ward 22)

The Midtown Community Council had before it a report (April 22, 2003) from the Director, Community Planning, South District, recommending approval of an application to amend the Official Plan and Zoning By-law to allow a 16-storey residential condominium building at 150 Roehampton Avenue; and recommending that Council:

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- (1) authorise City Legal Services and appropriate staff to appear at the Ontario Municipal Board to support the application as set out in this report;
- (2) request that the Ontario Municipal Board approve amendments to the Official Plan and Zoning By-law of the former City of Toronto substantially in accordance with the draft By-laws attached in Appendices 12 and 13 of this report;
- (3) request that the Ontario Municipal Board withhold its order until the owner of 150 Roehampton Avenue enters into an agreement with the City authorised under Section 37 of the Planning Act regarding the provision of public benefits in exchange for the increase in permitted building height and density on the property as set out in this report;
- (4) authorize the removal of two (2) street trees in accordance with Section 813-1 of the Toronto Municipal Code on condition that the trees not be removed prior to the issuance of a building permit for the proposed development;
- (5) request that the Ontario Municipal Board approve the plans and drawings submitted with this application, namely Plan Nos. 4, 5, 6, 7, 8, 9, 9A and 9B date stamped as received March 11, 2003, prepared by Page and Steele Architects and Planners, and Plan Nos. 2, 3 and 15 prepared by Page and Steele Architects and Planners as redlined on April 4, 2003 and Plan Nos. L1, L2 and L3 date stamped as received April 14, 2003 prepared by Terraplan Landscape Architects all as on file with the Commissioner of Urban Development Services;
- (6) request that the Ontario Municipal Board, prior to the issuance of an Order, require the owner to enter into an Undertaking under Section 41 of the Planning Act requiring that:
 - (a) the proposed development (including all landscaping thereto) shall be undertaken and maintained substantially in accordance with the drawings referred to above;
 - (b) the owner shall provide and maintain a minimum of 133 parking spaces on the site to serve the project, of which 6 spaces can have a minimum length of 5.0 metres, including a minimum of 117 parking spaces for the exclusive use of the residents of the project and at least 16 parking spaces for the residential visitors;
 - (c) the owner shall provide and maintain a physical separation between the residents' and the residential visitor parking of the underground garage to secure the availability of the residents' parking;

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- (d) the owner shall designate individually the substandard parking spaces by means of clearly visible signs for use by small cars only;
- (e) the owner shall provide and maintain a “Caution: Vehicles Turning At Top of Ramp” sign (or other appropriate wording) at the bottom of the access ramp for outbound traffic;
- (f) the owner shall provide and maintain a convex mirror at the intersection of the access driveway and the access ramp;
- (g) the owner shall provide and maintain an inside 1 metre by 1 metre splay at the top of the access ramp;
- (h) the owner shall provide and maintain 1 modified Type G loading space with dimensions of 4 metres by 13 metres by 6.4 metres (vertical overhead clearance) within an enclosed area with a generally level surface, as shown on Drawing No. 2 prepared by Page and Steele Architects and Planners, date stamped by the Commissioner of Urban Development Services on March 11, 2003 and as redlined by the applicant on April 4, 2003;
- (i) the owner shall design and construct all driveways and passageways providing access to and egress from the modified Type G loading space with a minimum width of 3.5 metres (4 metres where enclosed), a modified minimum vertical clearance of 4.4 metres and a minimum inside and outside turning radii of 9 metres and 16 metres so that trucks can enter and exit the site in a forward motion;
- (j) the owner shall design and construct the modified Type G loading space and all driveways and passageways providing access thereto to the requirements of the Ontario Building Code, including allowance for City of Toronto bulk lift and rear bin vehicle loading with impact factors where they are to be built as supported structures;
- (k) the owner shall provide and maintain a garbage room of at least 25 square metres in size and a recycling room of at least 20 square metres floor area and install and maintain a stationary compactor in the garbage room or alternatively, a combined garbage/recycling room with a minimum size of 45 square metres equipped with an automated recycling and waste system (i.e., tri sorter type). If an automated recycling waste system is not being installed, convenient storage space for recycling material must be provided on each floor of the project for collection by building maintenance staff;

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- (l) the owner shall install and maintain 2.2 metre wide double or overhead doors to accommodate the movement of container bins between the garbage and recycling rooms and the modified Type G loading space;
- (m) the owner shall provide and maintain level access corridor(s) between the garbage and recycling rooms and the modified Type G loading space for the transportation of the container bins;
- (n) the owner shall provide and maintain a reinforced concrete storage collection pad immediately adjacent to the loading space with a maximum slope of approximately 2% and 15 square metres in size where a total of 3 containers can be placed on collection days only and manoeuvred for safe and efficient collection;
- (o) the owner shall be aware that a trained staff member must be present to transfer the bins on collection days to the collection pad and at all times during collection to manoeuvre the bins onto the collection vehicle as well as act as a flagperson when the vehicle is reversing onto the driveway;
- (p) the owner shall designate the one-way operations of the circular driveway, by means of clearly visible signs and pavement markings;
- (q) the owner shall provide and maintain a minimum width of 5 metres for the circular driveway;
- (r) the owner shall restore all existing vehicular access ramps that are no longer required, to City standards, at no cost to the City;
- (s) the owner shall submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the issuance of any permit, a Noise Impact Statement in accordance with City Council's requirements;
- (t) the owner shall have a qualified architect/acoustical consultant certify, in writing, to the Commissioner of Works and Emergency Services that the development has been designed and constructed in accordance with the Noise Impact Statement accepted by the Commissioner of Works and Emergency Services;
- (u) the owner shall provide, maintain and operate the noise impact measures, facilities and strategies stipulated in the plan accepted by the Commissioner of Works and Emergency Services;
- (v) the owner shall submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the issuance of any permit, a

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site servicing assessment to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;

- (w) the owner shall pay for any improvements of the municipal infrastructure in connection with Recommendation No. 1(v), should it be determined that upgrades are required to the infrastructure to support this development, according to the plans accepted by the Commissioner of Works and Emergency Services;
- (x) the owner shall submit to the Commissioner of Works and Emergency Services, prior to the issuance of a building permit:
 - (i) a Grading and Drainage Plan to show existing and proposed elevations, surface drainage, infiltration areas within the site and any overland flow routes;
 - (ii) a Site Servicing Plan to show existing and proposed details of the site services, service connections to municipal infrastructure, location of fire hydrants, fire department connections and fire access route;
 - (iii) all relevant calculations or reports to support the site servicing design; and
 - (iv) a Stormwater Management Report indicating how the storm runoff from the site is to be addressed;
- (y) the owner shall erect and maintain signs, at points of egress and ingress of the development site advising that:

“Despite the best efforts of the Toronto District School Board, sufficient accommodation might not be locally available for all students anticipated from the development area. Students may be accommodated in facilities outside the area, and may later be transferred.

For information regarding designated school(s), please call (416) 397-2833”;

- (z) the owner shall include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration), that:

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“Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area, and further, that students may later be transferred.

Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the Board’s policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area”;

- (aa) the owner shall protect at all times the 1 City owned tree identified as Tree 2 on the Tree Survey Plan by NAK Design Group dated 22 Nov. 1998, in accordance with the City of Toronto’s Tree Protection Policy and Specifications for Construction Near Trees and to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- (bb) the owner shall, prior to the issuance of any permit, provide a tree protection security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to Treasurer, City of Toronto, in the amount of \$3,340.00 to cover the appraised tree value, removal and replacement costs of City owned trees. This deposit shall be drawn upon to cover all costs incurred by the City of Toronto if the City owned trees require maintenance or removal and replacement as a result of construction activities associated with this project;
- (cc) the owner shall, prior to the issuance of any permit, provide tree removal payment in the form of a certified cheque or money order payable to Treasurer, City of Toronto, in the amount of \$3,600.00 to cover the appraised tree value, and set fees of City owned trees to be removed as part of this project, identified as trees 1 and 3 on the Tree Survey Plan by NAK Design Group dated 22 Nov. 1998. This tree removal payment must be submitted to the attention of Mark Procunier, Supervisor of Urban Forestry Planning and Protection;
- (dd) the owner shall remove City owned trees only upon the receipt of the required tree removal payment by Mark Procunier, Supervisor of Urban Forestry Planning and Protection and the building and/or demolition permits have been obtained and the permitted construction and/or demolition related activities associated with this project warrant the removal of the trees;
- (ee) the owner shall conduct an investigation of underground utilities prior to new tree planting within the City road allowance. If planting is not possible due to a utility conflict, a utility locate information sheet from the respective utility company must be provided to the Supervisor of Urban Forestry Planning and Protection;

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- (ff) the owner shall plant 4 new trees within the City road allowance as shown on plan L-1 Landscape Plan date stamped received on 14 April 2003 to the satisfaction of the Commissioner of Economic Development, Culture and Tourism and in accordance with the following details:

Street Trees in Turf: In accordance with Planting Detail No. 101 for Balled and Burlapped Trees in Turf Areas, dated June 2002;
- (gg) the owner shall ensure a clearance of 1.2 metres from the edge of a tree's root ball to the edge of the underground utility(s). For clearance less than 1.2 metres but greater than or equal to 0.6 metres, a root deflector must be installed in the tree pit between the tree's root ball and the utility(s);
- (hh) the owner shall provide a two-year renewable guarantee for all new tree plantings within the City road allowance and shall notify Mark Procnier, Supervisor of Urban Forestry Planning and Protection in writing, of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee;
- (ii) the owner shall maintain all new tree plantings within the City road allowance in good condition. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees;
- (jj) the owner shall be responsible for the maintenance or replacement of all new tree plantings within the City road allowance if during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement. The owner will be responsible for rectifying the problem as determined by and to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- (kk) the owner shall maintain all newly replanted trees within the City road allowance in good condition and shall provide an additional two-year renewable guarantee;
- (ll) the owner shall, prior to the issuance of a Landscape Permit (by Works and Emergency Services, Transportation Services, Right of Way Management), provide a tree planting security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto, in the amount of \$ 2,352.00 (\$588 per tree subject to change) for new tree planting within the City Road allowance. The tree planting security deposit must be submitted to the attention of Mark Procnier, Supervisor of Urban Forestry Planning and Protection. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period; and

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- (mm) an irrigation system with automatic timer be included at the applicant's expense and that the irrigation system be designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Commissioner of Works and Emergency Services, including requirements to maintain in good order and operation.

- (7) advise the owner:
 - (a) of the need to make a separate application to the Commissioner of Works and Emergency Services for permits to carry out any works involving construction in, or occupancy of, the abutting public right-of-way;
 - (b) that the storm water runoff originating from the site should be disposed of through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and acceptance by the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm run-off;
 - (c) of the City's requirement for payment of a service charge associated with the provision of City containerised garbage collection;
 - (d) that in the event the on-site person is not available at collection time, the vehicle will leave the site and not return until the next scheduled collection day;
 - (e) of the need to contact the Solid Waste Management Services Section of Works and Emergency Services to complete the necessary application and waiver forms prior to the commencement of city waste collection;
 - (f) that the proposal requires conveyance of land for parks purposes, or payment in lieu thereof pursuant to Section 42 of the Planning Act;
 - (g) that the issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code;
 - (h) that the proposal is subject to Development Charges pursuant to By-law 476-1999 as amended. For additional information please refer to the said by-law;

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- (i) that the proposal is subject to Education Development Charges, pursuant to the Toronto Catholic District School board by-law 2001 No. 148. For additional information please refer to the said by-law; and
- (j) that the Commissioner of Economic Development, Culture and Tourism shall hold the tree planting security deposit for the duration of the renewable guarantee period.

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

- Helen Riley;
- Yvonne Sawden;
- Stanley M. Makuch, Cassels Brock and Blackwell, on behalf of the applicant;
- Jason Birnboim, on behalf of Beaux Properties;
- Susan Cook; and
- Rosanna Della Valle, Board of Directors, 170 Roehampton.

On motion by Councillor Walker, the Midtown Community Council deferred consideration of the foregoing report to its next meeting scheduled to be held on June 10, 2003, to allow the Ward Councillor to hold a community consultation meeting

(Councillor Michael Walker; City Solicitor; Director, Community Planning, South District; City Clerk, Att: Nirmal Bahal; c. Administrator, Midtown Community Council; Interested Parties – May 7, 2003)

(Clause No. 23(g), Report No. 4)

4.28 Final Report – Application to amend the Official Plan for the Former Borough of East York and Zoning By-law 1916 – 150022 Ontario Limited (Turner Fleischer Architects Inc.) 237, 239 and 241 McRae Drive 207 and 209 Randolph Road File Number TD CMB 20020008 (Don Valley West – Ward 26)

The Midtown Community Council held public meeting and notice was given in accordance with the Planning Act.

The Midtown Community Council had before it a report (April 15, 2003) from the Director, Community Planning, South District, recommending approval of an application to amend the Official Plan for the Former Borough of East York and Zoning By-law

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1916 to permit the redevelopment of a 1,871.5 square metre site located at 237, 239 and 241 McRae Drive and 207 and 209 Randolph Road, with 10 three-storey townhouses and 2 semi-detached dwellings; and recommending that Council:

- (1) amend the Official Plan for the Former Borough of East York substantially in accordance with the draft Official Plan Amendment attached as Attachment No.4;
- (2) amend the Zoning By-law 1916 for the subject site substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5; and
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and the draft Zoning By-law Amendment as may be required.

The Midtown Community Council also had before it a communication (April 29, 2003) from Agnes Vermes, Leaside Property Owners Association Incorporated.

Jean Besz, Planner, gave a brief presentation.

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

- Adam Brown, Brown Dryer Karol, on behalf of the applicant;
- Francine Maclure, and submitted a petition signed by approximately 31 local residents; and
- John Quarterly.

On motion by Councillor Pitfield, the Midtown Community Council recommended to Council adoption of the foregoing report as amended to provide that:

- (1) the minimum front yard set-back for the units located on Randolph Road be 3 metres; and
- (2) the angled parking on McRae Drive be removed.

(Clause No. 21, Report No. 4)

**4.29 Sale of Surplus Spadina Expressway Project Property - 107 Everden Road
(St. Paul's – Ward 21)**

The Midtown Community Council had before it a report (April 16, 2003) from the Commissioner of Corporate Services, with respect to authorizing the disposal of the property municipally known as 107 Everden Road; and recommending that:

- (1) the Offer to Purchase from Susan Rachel Poizner to purchase the property known municipally as 107 Everden Road, in the amount of \$340,100.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

(Clause No. 22, Report No. 4)

The Midtown Community Council recessed at the following times:

recessed: 10:20 a.m.
resumed: 10:45 p.m.
recessed: 11:15 a.m.
resumed: 2:08 p.m.

The Midtown Community Council adjourned its meeting at 3:00 p.m.

Chair