

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Midtown Community Council

Meeting No. 5

Tuesday, June 10, 2003

The Midtown Community Council met on Tuesday, June 10, 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 Pitfield, the Minutes of the meeting of the Midtown Community Council held on May 6, 2003, were confirmed.

5.1 Proposed By-law to Permanently Close a Portion of the Bayview Avenue Road Allowance at the Rear of 4 Valleyanna Drive (Don Valley West – Ward 25)

The Midtown Community Council held a public meeting and notice, in accordance with the Municipal Act 2001, of the proposed enactment of the draft by-law was advertised in a daily newspaper on May 26, 2003, and posted on the City's web site for two weeks. No one addressed the Midtown Community Council.

The Midtown Community Council had before it a draft By-law to permanently close a portion of the Bayview Avenue Road Allowance at the Rear of 4 Valleyanna Drive.

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

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

Councillor Flint resumed the Chair.

(Clause No. 1, Report No. 5)

5.2 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.

The Midtown Community Council also had before it a communication (June 6, 2003) addressed to Councillor Walker from Robert Blazeovski, Vice President, Planning, Minto Midtown Inc.

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

- (1) the construction staging permit be issued for one year and the Commissioner of Works

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and Emergency Services be directed to report back to the appropriate Community Council in 1 year for renewal of the permit on a one-year basis until the completion of the project;

- (2) the Commissioner of Works and Emergency Services in consultation with the Commissioner of Urban Development Services be directed to work with Councillor Walker to form a Liaison Committee consisting of representatives from the area Residents' Associations (i.e. Oriole Park Association, South Eglinton Residents and Ratepayers Association), the local business community, Minto Urban Communities, City Staff, the said Liaison Committee to meet on a monthly basis to review emerging issues relative to the construction of 2195 Yonge Street;
- (3) the issuance of the construction staging permit be conditional on all truck traffic generated by the project using only arterial streets and that the Commissioner of Works and Emergency Services be directed to suspend the permits if this condition is not met; and
- (4) the Commissioner of Works and Emergency Services be directed to conduct traffic volume surveys at the intersections listed below prior to the issuance of the permit and again in 6 months and that a report be forwarded to Midtown Community Council for its consideration, and if necessary, public deputations.

Intersections:

Berwick Street at Yonge Street

Soudan Avenue at Yonge Street

Duplex Avenue at Eglinton Avenue West

Holly Street at Eglinton Avenue East

Roehampton Avenue at Yonge Street

Manor Road East at Yonge Street

(Clause No. 2, Report No. 5)

5.3 231-235 McRae Drive (Leaside Municipal Building and Fire Hall) Inclusion on the City of Toronto Inventory of Heritage Properties (Don Valley West – Ward 26)

The Midtown Community Council had before it a report (May 6, 2003) from the Commissioner of Economic Development, Culture and Tourism; recommending that:

- (1) City Council include the property at 231-235 McRae Drive (Leaside Municipal Building and Fire Hall) on the City of Toronto Inventory of Heritage Properties; 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 the following communications:

- (i) (May 15, 2003) from the City Clerk, Toronto Preservation Board, advising that the Toronto Preservation Board recommends adoption of the foregoing report; and
- (ii) (June 6, 2003) from The Junior Academy.

Edna Beange appeared before the Midtown Community Council in connection with the foregoing matter.

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

(Clause No. 3, Report No. 5)

5.4 359 Deloraine Avenue – Tree Removal Request (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (May 21, 2003) from the Commissioner of Economic Development, Culture and Tourism, recommending that:

- (1) Midtown Community Council deny the request for the removal of one City owned tree located at 359 Deloraine Avenue conditional on:
 - (a) the Committee of Adjustment allowing a parking variance, which would allow the use of the existing surface level driveway for one vehicle only for the life of the subject tree; or
- (2) Midtown Community Council approve the request for the removal of one City owned tree located at 359 Deloraine Avenue conditional on:
 - (a) the applicant paying for the value of the Silver Maple tree and for all associated removal and replacement costs, that is \$15,327.00; and
 - (b) the subject tree not being removed until permitted excavation related activities in accordance with approved plans commence and warrant the destruction of the tree; and
 - (c) the applicant planting one 70 mm Kentucky Coffeetree replacement to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
 - (d) 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 (June 4, 2003) from Andrew and Stephanie Irving.

Maurice Jouenne, M.J. Design Consultants, was present during consideration of this matter.

On motion by Councillor Johnston, the Midtown Community Council:

- (1) recommended to Council adoption of Recommendations No. (2) (b), (c) and (d) of the foregoing report;

- (2) referred Recommendation No. 2(a) to the Commissioner of Economic Development, Culture and Tourism, in consultation with Councillor Johnston and the applicant, with a request that he report thereon directly to Council for its meeting on June 24, 2003; and
- (3) recommended that the Commissioner of Economic Development, Culture and Tourism be requested to review the Tree Removal Policy insofar as charges to homeowners are concerned and report thereon to the Economic Development and Parks Committee.

(Clause No. 4, Report No. 5)

(Commissioner of Economic Development, Culture and Tourism;
Councillor Johnston c. Interested Persons – June 11, 2003)

**5.5 209 Cortleigh Boulevard – Removal of One Privately Owned Tree
(Eglinton-Lawrence – Ward 16)**

The Midtown Community Council had before it a report (May 21, 2003) from the Commissioner of Economic Development, Culture and Tourism, recommending that Council:

- (1) deny the request for the removal of one privately owned tree at 209 Cortleigh Boulevard; or
- (2) approve the request for the removal of one privately owned tree at 209 Cortleigh Boulevard conditional on the applicant agreeing to implement the landscape plan, on file with Urban Forestry Services.

Ron Robinson was present during consideration of this matter.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council adoption of Recommendation No. (2) contained in the aforementioned report i.e.:

“It is recommended that Council approve the request for the removal of one privately owned tree at 209 Cortleigh Boulevard conditional on the applicant agreeing to implement the landscape plan, on file with Urban Forestry Services.”

(Clause No. 5, Report No. 5)

5.6 339 Glengarry Avenue – Tree Removal Request (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (May 21, 2003) from the Commissioner of Economic Development, Culture and Tourism, regarding a request for the removal of one City owned tree located at 339 Glengarry Avenue.

On motion by Councillor Johnston, the Midtown Community Council received the foregoing report and took no action with respect thereto, as Councillor Johnston advised that the application for tree removal has been withdrawn.

(Clause No. 38(a), Report No. 5)

(Commissioner of Economic Development, Culture and Tourism;
c. Interested Persons – June 11, 2003)

**5.7 301 Russell Hill Road – Removal of One Privately Owned Tree
(St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (May 21, 2003) from the Commissioner of Economic Development, Culture and Tourism, advising that a request to permit one 142 cm diameter silver maple tree, located on private property has been filed by Mr. Egils Didrichsons, Landscape Architect for the owner of 301 Russell Hill Road, Toronto, Ontario, M4V 2T7 and recommending that:

- (1) Midtown Community Council deny the request for the removal of one privately owned tree at 301 Russell Hill Road; or
- (2) Midtown Community Council approve the request for the removal of one privately owned tree at 301 Russell Hill Road conditional on the applicant agreeing to implement the landscape plan, on file with Urban Forestry Services.

Egils J. Didrichson, Landscape Architect, was present during discussion of this matter.

On motion by Councillor Walker, the Midtown Community Council recommended to Council adoption of Recommendation No. (2) contained in the aforementioned report, i.e.:

“It is recommended that Council approve the request for the removal of one privately owned tree at 301 Russell Hill Road conditional on the applicant agreeing to implement the landscape plan, on file with Urban Forestry Services”:

(Clause No. 6, Report No. 5)

5.8 205 Ava Road, former City of York, Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences (St. Paul’s – Ward 21)

The Midtown Community Council had before it a report (May 26, 2003) from the Manager, West District, Municipal Licensing and Standards, reporting on an application submitted by the owner for an exemption to the Toronto Municipal Code, Chapter 447, Fences, to permit the existing fence to remain on the property; and recommending that the application be refused.

The Midtown Community Council had before it the following communications:

- (i) (June 9, 2003) from Bess and Cindy Acker; and
- (ii) (June 9, 2003) from Karyn Model.

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

- Karyn Model;
- Cynthia Acker; and
- Greg Collard.

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council adoption of the foregoing report, i.e., that the application be refused.

(Clause No. 7, Report No. 5)

5.9 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for a Second Parking Space at 137 Old Orchard Grove (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (May 23, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, with respect to 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 parking space at 137 Old Orchard Grove; and recommending that Council deny the request to permit driveway widening for a second parking space at 137 Old Orchard Grove.

The Midtown Community Council also had before it a communication (June 4, 2003) from L. Turvey.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council that the application for a second parking space at 137 Old Orchard Grove, as shown on Appendix 'A' be approved, subject to:

- (a) the parking area for each space not exceeding 2.0 m by 4.57 m in dimension;
- (b) the excess paving area being removed;
- (c) 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
- (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. 8, Report No. 5)

5.10 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 131 Montgomery Avenue (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (May 23, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, with respect to 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 131 Montgomery Avenue, which does not meet the requirements of the Code; and recommending that Council deny the request to permit driveway widening at 131 Montgomery Avenue.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council that the application for driveway widening at 131 Montgomery Avenue, as shown on Appendix 'A' be approved, notwithstanding that the parking pad will encroach onto the mutual driveway, the existing paving does not meet the City's paving specifications and the required clearances cannot be provided, subject to:

- (a) the vehicle to be parked not exceeding 4.45 m in length;
- (b) the City sidewalk not being encumbered at any time by vehicles overhanging the City sidewalk and pedestrian traffic on the sidewalk being maintained at all times;
- (c) the applicants providing a letter of consent from the owners of 133 Montgomery Avenue;
- (d) the use of the parking area be discontinued should the property at 133 Montgomery Avenue be sold, until such time as the new owners provide a letter of consent;
- (e) the applicants 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

- (f) the applicants 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.

(Clause No. 9, Report No. 5)

5.11 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 396 St. Clements Avenue (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (May 23, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, with respect to a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 396 St. Clements Avenue, which does not meet the requirements of the Code; and recommending that Council deny the application to permit driveway widening for two vehicles at 396 St. Clements Avenue.

John Walks appeared before the Midtown Community Council in connection with the foregoing matter.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council that the application for driveway widening for two vehicles at 396 St. Clements Avenue, as shown on Appendix 'A' be approved, subject to:

- (a) the parking area for each space not exceeding 2.6 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; 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. 10, Report No. 5)

**5.12 Maintenance of a Wooden Fence – Fronting 40 Maxwell Avenue
(St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (May 26, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, recommending that:

- (1) Council approve the maintenance of a 1.75 m high wooden fence within the public right of way fronting 40 Maxwell Avenue, subject to the property owners entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
 - (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 and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Chief Financial Officer & Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer & Treasurer may require;
 - (b) maintain the fence at their own expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
 - (c) remove the fence upon receiving 90 days notice to do so; and
 - (d) accept such additional conditions as the City Solicitor or Commissioner of Works and Emergency Services may deem necessary in the interest of the Corporation; and
- (2) in the event of sale or transfer of the property abutting the encroachment, Legal Services and/or the Commissioner of Works and Emergency Services be authorized to extend the Encroachment Agreement to the new owner, subject to approval of the Commissioner of Works and Emergency Services.

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

(Clause No. 11, Report No. 5)

5.13 Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking for Two Vehicles at 135 Montgomery Avenue (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (May 23, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, with respect to 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 135 Montgomery Avenue; and recommending that Council deny the request for front yard parking for two vehicles at 135 Montgomery Avenue.

Robert Jean was present during consideration of this matter.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council that the application to permit front yard parking for two vehicles at 135 Montgomery Avenue, as shown on Appendix 'A' be approved, notwithstanding that the required landscaped space and setback clearances cannot be provided, subject to:

- (a) 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;
- (b) the applicants 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 applicants 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. 12, Report No. 5)

**5.14 McNairn Avenue at Yonge Street – Implementation of Turn Prohibitions
(Eglinton-Lawrence – Ward 16)**

The Midtown Community Council had before it a report (April 22, 2003) from the Director, Transportation Services, District 1, requesting to prohibit vehicular entry onto McNairn Avenue from Yonge Street; and recommending that:

- (1) the existing northbound left-turn prohibition at Yonge Street and McNairn Avenue in effect between 4:00 p.m. and 6:00 p.m., Monday to Friday, except Public Holidays, be amended to be in effect at all times;
- (2) southbound right-turns at Yonge Street and McNairn Avenue be prohibited at all times; 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.

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

(Clause No. 13, Report No. 5)

**5.15 Wychwood Avenue, between Tyrrel Avenue and St. Clair Avenue West – Request to Reduce the Maximum Speed Limit from 50 to 40 Kilometres Per Hour
(St. Paul's – Ward 21)**

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

- (1) the maximum speed limit be reduced from 50 to 40 kilometres per hour on Wychwood Avenue, between Tyrrel Avenue and St. Clair Avenue West; 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. 14, Report No. 5)

5.16 Eglinton Avenue West and the William R. Allen Road (Northbound On-ramp) – Proposed Signalization of the Westbound Channelized Right-Turn Lane and the Prohibition of Westbound Right-Turns-On-Red (St. Paul’s – Ward 21)

The Midtown Community Council had before it a report (May 23, 2003) from the Director, Transportation Services, District 1, recommending that:

- (1) coincident with the signalization of the westbound channelized right-turn lane, westbound right-turns-on-red be prohibited at the intersection of Eglinton Avenue West and the William R. Allen Road (northbound on-ramp); and
- (2) 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 may be required.

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

(Clause No. 15, Report No. 5)

5.17 Bathurst Street and Vaughan Road – Request to Review Intersection Improvements and Proposed Installation of Traffic Control Signals (St. Paul’s – Ward 21)

The Midtown Community Council had before it a report (May 27, 2003) from the Director, Transportation Services, District 1, with respect to a request from Midtown Community Council to conduct follow-up studies to evaluate the effectiveness of the sidewalk widening at Vaughan Road and Bathurst Street and review the feasibility of installing traffic control signals at Bathurst Street and Vaughan Road/Helena Avenue; and recommending that this report be received for information.

On motion by Councillor Mihevc, the Midtown Community Council referred the foregoing report to the General Manager, Toronto Transit Commission, in consultation with the Director, Transportation Services, District 1, with a request that such report be reviewed during the environmental assessment process and that they report back to Midtown Community Council.

(Clause No. 38(b), Report No. 5)

(General Manager, Toronto Transit Commission; Director,
Transportation Services District 1 – June 11, 2003)

**5.18 Ossington Avenue, between Carus Avenue and Geary Avenue/Acores Avenue
Installation of Traffic Control Signals or Pedestrian Crossover
(St. Paul's – Ward 21 and Davenport – Ward 17)**

The Midtown Community Council had before it a report (April 22, 2003) from the Director, Transportation Services, District 1, advising of a request from Councillor Joe Mihevc to install either traffic control signals or a pedestrian crossover on Ossington Avenue, between Carus Avenue and Geary Avenue/ Acores Avenue; and recommending that this report be received for information.

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

(Clause No. 38(c), Report No. 5)

(Director, Transportation Services, District 1 – June 11, 2003)

**5.19 Mallory Gardens, West Side, from Oriole Gardens to the Turning Basin, Request
for an Adjustment in the Hours of Operation of the 10-Minute Maximum
Pick-up/Drop Off Zone (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (May 15, 2003) from the Director, Transportation Services, District 1, recommending that:

- (1) the existing times of operation of the “10-minute maximum Pick-up/Drop-off area” on the west side of Mallory Gardens, from a point 9 metres south of Oriole Gardens to a point 27 metres further south thereof, be adjusted to operate for a maximum period of ten minutes from 8:45 a.m. to 9:15 a.m., 11:15 a.m. to 11:45 a.m., 12:45 p.m. to 1:15 p.m. and from 2:45 p.m. to 3:15 p.m., Monday to Friday;
- (2) the existing prohibited parking times on the west side of Mallory Gardens, from a point 9 metres south of Oriole Gardens to a point 27 metres further south thereof, be adjusted to operate from 9:15 a.m. to 11:15 a.m., 11:45 a.m. to 12:45 p.m., 1:15 p.m. to 2:45 p.m. and from 3:15 p.m. of one day to 8:45 a.m. of the next following day, Monday to Friday; and at anytime on Saturdays and Sundays; 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.

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

(Clause No. 16, Report No. 5)

5.20 Mt. Pleasant Road and Roehampton Avenue – Installation of Traffic Control Signals (St. Paul’s – Ward 22)

The Midtown Community Council had before it a report (May 21, 2003) from the Director, Transportation Services, District 1, recommending that:

- (1) traffic control signals be installed on Mt. Pleasant Road at Roehampton Avenue; and
- (2) appropriate City officials be authorized and directed to take whatever action is 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 recommends adoption of the foregoing report.

(Clause No. 17, Report No. 5)

5.21 Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 247 Bowood Avenue (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (May 23, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, with respect to an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to permit front yard parking at 247 Bowood Avenue, which does not meet the requirements of the Code; and recommending that Council deny the application for front yard parking at 247 Bowood Avenue.

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

On motion by Councillor Flint, the Midtown Community Council recommended to Council that the application for front yard parking at 247 Bowood Avenue, as shown on Appendix 'A' be approved, notwithstanding that there is private lane access to this property, subject to:

- (a) the parking area not exceeding 2.6 m by 5.2 m in dimension;
- (b) 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;
- (c) the applicants 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
- (d) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code.

Councillor Flint resumed the Chair.

(Clause No. 18, Report No. 5)

**5.22 Right Turn Lane Designation – Leslie Street at Bannatyne Drive
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, recommending that:

- (1) the southbound curb lane on Leslie Street at Bannatyne Drive be designated for right turns only, buses excepted, between Bannatyne Drive and a point 35 metres northerly thereof; and

- (2) 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. 19, Report No. 5)

5.23 Installation of Stop Control – Bayview Ridge Crescent and Bayview Ridge, East and West Intersections (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (June 9, 2003) from the Director, Transportation Services, District 3, recommending that:

- (1) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended to delete the through street designation for Bayview Ridge from the southerly limit of Highland Crescent to the northerly limit of Bayview Ridge Crescent;
- (2) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended to delete the through street designation for Bayview Ridge from the southerly limit of Valley Road to the northerly limit of Bayview Ridge Crescent;
- (3) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to delete the compulsory stop requirement on Bayview Ridge east of Bayview Ridge Crescent;
- (4) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to delete the compulsory stop requirement for Bayview Ridge west of Bayview Ridge Crescent;
- (5) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on Bayview Ridge, north and south of Valley Road;
- (6) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on Bayview Ridge (west intersection), north and south of Bayview Ridge Crescent;

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- (7) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on Bayview Ridge Crescent (west intersection), east of Bayview Ridge;
- (8) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on Bayview Ridge (east intersection), east and south of Bayview Ridge Crescent; and
- (9) Schedule XIX of By-law No. 31001 be amended to require traffic to stop on Bayview Ridge Crescent (east intersection), north of Bayview Ridge.

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.

(Clause No. 20, Report No. 5)

Councillor Flint resumed the Chair.

**5.24 Vehicular Access – Braeside Road Rear of 129 Ronan Avenue
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (May 26, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, recommending that City Council approve the application for permission for vehicular access via Braeside Road rear of 129 Ronan Avenue, subject to the owner:

- (a) obtaining written clearance from the owner of 40 Kappele Avenue to cross over a portion of the driveway on the Braeside Road flank servicing 40 Kappele Avenue to access the rear of the property at 129 Ronan Avenue;
- (b) purchasing the one-foot Reserve Strip at the rear of 129 Ronan Avenue; and
- (c) accepting any additional conditions the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the Corporation.

Terrence Scott was present during consideration of this matter.

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

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

Councillor Flint resumed the Chair.

(Clause No. 38(d), Report No. 5)

(Commissioner of Works and Emergency Services c. Manager, Right of Way Management, Transportation Services, District 1; Interested Persons – June 11, 2003)

5.25 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 279-281 Snowdon Avenue (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (May 23, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, with respect to 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 279-281 Snowdon Avenue, which does not meet the requirements of the Code; and recommending that Council deny the application for driveway widening for two vehicles at 279-281 Snowdon Avenue.

The Midtown Community Council also had before it a communication (June 9, 2003) from S. Fiona McArdle.

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

On motion by Councillor Flint, the Midtown Community Council recommended Council that the application for driveway widening for two parking spaces at 279-281 Snowdon Avenue, as shown on Appendix 'A' be approved, notwithstanding that there is excess paving, subject to:

- (a) 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;

- (b) the applicant obtaining any required approvals from Urban Development Services and the Committee of Adjustment if the parking area/driveway is to be used as a semi-circular driveway and a second ramp facility is requested and if approved, that an application for the ramp facility be submitted to the Commissioner of Works and Emergency Services; and
- (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

(Clause No. 21, Report No. 5)

**5.26 Request for Driveway Entrance Widening – 87 Heathcote Avenue
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, with respect to a request to enlarge a 6.0 metre wide driveway entrance to 9.0 metres on Dempsey Crescent; and recommending that the request for a variance from the residential driveway entrance policy be approved.

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. 22, Report No. 5)

**5.27 Request for Driveway Entrance Widening – 2 Cotswold Crescent
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, with respect to a request for a driveway

entrance widening from 7.3 metres to 10.0 metres at 2 Cotswold Crescent; and recommending that the request for a variance of the residential driveway entrance policy be approved.

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. 23, Report No. 5)

5.28 Laird Drive in Front of Premises No. 116 Laird Drive – Establishment of an On-Street Loading Zone for a Disabled Person (Don Valley West – Ward 26)

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

- (1) a loading zone for a disabled person, operating from 9:00 a.m. to 6:00 p.m., daily, be established on the west side of Laird Drive, from a point 64 metres north of Lea Avenue to a point 71 metres north of Lea Avenue; and
- (2) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

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

(Clause No. 24, Report No. 5)

5.29 Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code to Permit, for Identification Purposes, one Non-illuminated Fascia Sign on the Front Elevation of the Building at 2400 Yonge Street 902062, 02-160516 (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (April 23, 2003) from the Director, Community Planning, South District, with respect to a request by Peter Mullin with Daniel Johnson Architect Inc. on behalf of Future Shop for approval of variances

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from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for identification purposes, one non-illuminated fascia sign (see Attachment 1) on the front elevation of the building at the above noted location; and recommending that:

- (1) the request for variances be approved to permit, for identification purposes, one non-illuminated fascia sign to be located on the front elevation of the building at 2400 Yonge Street; and
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

Peter Mullin, Daniel Johnson Architect Inc., was present during consideration of this matter.

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

(Clause No. 25, Report No. 5)

5.30 Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code, to Permit a Pedestal Sign with Changeable Copy at 1585 Yonge Street 903024, 03-109461 (St. Paul's – Ward 22)

The Midtown Community Council had before it a report (May 12, 2003) from the Director, Community Planning, South District, advising on a request by K. Llewellyn-Thomas on behalf of Yorkminster Park Baptist Church for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit a pedestal sign with changeable copy at the above noted location; and recommending that:

- (1) the request for variances be approved to permit a pedestal sign with changeable copy at 1585 Yonge Street; and
- (2) the applicant be advised, upon approval of these variances, of the requirement to obtain the necessary sign permit(s) from the Commissioner of Urban Development Services.

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

(Clause No. 26, Report No. 5)

5.31 Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code, for two Illuminated Fascia Signs on the Front Elevation at 1431 Yonge Street 902064, 02-163141 (St. Paul's – Ward 22)

The Midtown Community Council had before it a report (May 14, 2003) from the Director, Community Planning, South District, with respect to a request by Svetlana Levant with Pride Signs Ltd. for Mark Kaus, Project Manager, Bank of Montreal Real Estate Corporation for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit the installation of two illuminated, fascia signs on the front elevation at the above noted location; and recommending that:

- (1) the request for variances be approved to permit two illuminated, fascia signs at 1431 Yonge Street; and
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

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

(Clause No. 27, Report No. 5)

5.32 Request for Approval of a Variance from Chapter 297, Signs, of the Former City of Toronto Municipal Code, to Permit an Illuminated Third Party Mural Sign at 2 St. Clair Avenue East 902077, 02-189849 (St. Paul's – Ward 22)

The Midtown Community Council had before it a report (May 14, 2003) from the Director, Community Planning, South District, advising of a request by Michael McKague with Abcon Media Group Inc. for Dundee Realty Management Corporation for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit an illuminated third party mural sign at the above location; and recommending that:

- (1) the request for variance be approved to permit an illuminated third party mural sign at 2 St. Clair Avenue East; and

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

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

- (1) the request for variance be approved to permit a non-illuminated third party mural sign at 2 St. Clair Avenue East; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permit(s) from the Commissioner of Urban Development Services.

(Clause No. 28, Report No. 5)

5.33 Sale of Surplus Vacant Land – West Side of Ledbury Street, North of Cranbrooke Avenue (Eglinton-Lawrence – Ward 16)

The Midtown Community Council had before it a report (May 22, 2003) from the Commissioner of Corporate Services, with respect to a parcel of vacant land on the west side of Ledbury Street, north of Cranbrooke Avenue; and recommending that:

- (1) the Offer to Purchase from Charles Sweetman, Estate Trustee of the Estate of Nora Flannigan to purchase the City-owned parcel of vacant land on the west side of Ledbury Street, north of Cranbrooke Avenue, being part of Lot 141, Plan 2371, shown as Part 1 on Sketch No. PS-2002-072, in the amount of \$47,000.00 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 Johnston, the Midtown Community Council recommended to Council adoption of the foregoing report.

(Clause 29, Report No. 5)

**5.34 Sale of Vacant Parcel of Land at the Rear of 209 Forest Hill Road
(St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (May 23, 2003) from the Commissioner of Corporate Services, with respect to the sale of a vacant parcel of land at the rear of 209 Forest Hill Road; and recommending that:

- (1) the Offer to Purchase from Victoria Korley to purchase the City-owned lands at the rear of 209 Forest Hill Road, being part of Block C, Plan 645-E, shown as Part 1 on Sketch No. PS-2002-076, in the amount of \$11,000.00, be accepted on the terms outlined in the body of this report, and be conditional on the sale of the property not being prohibited under the Official Plan in effect as of the closing date, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to execute the necessary documents 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 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 Walker, the Midtown Community Council recommended to Council adoption of the foregoing report.

(Clause No. 30, Report No. 5)

5.35 Request for Exemption to Municipal Code Chapter 591, Noise, for Wynford Drive Bridge over Don Valley Parkway Structure Rehabilitation, Contract 03FS-20S (Don Valley West – Ward 26)

Report (May 26, 2003) from the Manager, Structures and Expressways, Technical Services, Works and Emergency Services, requesting an exemption to the Municipal Code Chapter 591, Noise, for the period between July 1, 2003 to October 10, 2003; the purpose for this request is so that the rehabilitation of the bridge over the Wynford Drive Bridge over the Don Valley Parkway can be completed within the construction schedule and minimizing disruption to the users of the Don Valley Parkway and the surrounding residences; and recommending that as the rehabilitation work is required to maintain the integrity of the bridge, it is recommended that an exemption to Municipal Code Chapter 591, Noise, in connection with the Wynford Drive Bridge over Don Valley Parkway Structure Rehabilitation, be approved.

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

(Clause No. 31, Report No. 5)

5.36 Cypriot Community Festival Permit Application, Cypriot Community of Toronto Inc. Cultural and Wine Festival – July 12 and 13, 2003

The Midtown Community Council had before it a report (May 26, 2003) from the City Clerk, Midtown Community Council, advising that a Community Festival Permit Application from the Cypriot Community of Toronto Inc. was received by the City Clerk's North York Office respecting a proposed Cultural and Wine Festival to be held at 6 Thorncliffe Park Drive on July 12 and 13, 2003; and recommending that the Community Council consider recommending the issuance of a Community Festival Permit to the Cypriot Community of Toronto Inc.

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

- (1) the Festival to be held on Saturday and Sunday, July 12 and July 13, 2003, hosted by the Cypriot Community of Toronto Inc., be deemed as a Community Festival;
- (2) Council sanction and grant the Community Festival permit for the Cultural and Wine

Festival, subject to the following terms and conditions:

- (i) that Section 3.2 (f) of the former Borough of East York By-law No. 67-95 regarding security provisions to the Community Festival be waived provided that the Cypriot Community of Toronto Inc. provides approximately five to ten security officers from their membership who will oversee the security for the Festival;
- (ii) the applicant shall be responsible for arranging the private collection and disposal of all waste generated from the Festival;
- (iii) where the festival takes place outdoors, the applicant shall ensure that adequate containers are provided to control litter and that the containers are emptied on a regular basis to ensure that litter does not become a problem on the permitted or surrounding properties;
- (iv) for any portion of the event to be held outdoors, the applicant shall ensure that there is provision of barriers for liquor control, portable washrooms and increased security;
- (v) drawings in duplicate must be submitted to the Building Division at the East York Civic Centre Field Office and a building permit must be obtained, for the installation of the tent and the construction of the stage for the orchestra, prior to actual installation/construction. Drawings must indicate the size and the location of the tent with distances

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from the property lines and other buildings. The drawings must also show the size of the stage platform, the structural framing and its support, steps, guards and handrails;

- (vi) no open flames (candles) to be used on tables inside the tent;
 - (vii) a portable fire extinguisher is to be provided near the BBQ area;
 - (viii) all relevant sections of the Ontario Food Premises Regulations (O. reg. 562) are met;
 - (ix) the applicant paying the fee of \$100.00 to Municipal Licensing and Standards for preparation of the information to the report from the City Clerk with regard to the noise issue;
- (3) Council grant an exemption to the Toronto Municipal Code, Chapter 591, Noise By-law, to permit the amplification of sound or playing of music until 12:00 midnight on July 12; and 12:00 midnight on July 13, 2003, on the basis that no complaints have been received by Municipal Licensing and Standards on past events; and
- (4) the applicant causing a notice of the application to be published in a newspaper of general circulation within the municipality at least 7 days prior to the meeting of Midtown Community Council, and that proof be provided to Municipal Licensing and Standards.

(Clause No. 32, Report No. 5)

5.37 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:

- (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;

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- (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;
- (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

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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;

- (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;

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- (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 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”;

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- (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:

“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;

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- (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;
- (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

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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

(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;

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- (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;
- (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 Midtown Community Council also had before it a report (May 22, 2003) from the Director, Community Planning, South District, recommending that a condition be added to Recommendation No. (1) of the final staff report for 150 Roehampton Avenue; and recommending that City Council delete Recommendation No. 1 of the Final Report on 150 Roehampton Avenue dated April 22, 2003 and add new Recommendation No. 1 as follows:

- “(1) authorize City Legal Services and appropriate staff to appear at the Ontario Municipal Board to support the application as set out in this report on condition that the applicant submit a letter to the City Solicitor, prior to the commencement of the hearing, undertaking to withdraw the applicant's appeal of the new Official Plan as it pertains to 150 Roehampton Avenue upon the site specific Zoning By-law coming into force.”

Tim Burkholder, Area Planner, gave a brief presentation.

Stanley M. Makuch, Cassels Brock and Blackwell, on behalf of the applicant, appeared before the Midtown Community Council in connection with the foregoing matter.

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

- (1) the application be refused;
- (2) the City Solicitor be authorized to attend the Ontario Municipal Board hearing in support of the City's position;
- (3) the City Solicitor be authorized to retain such outside consultants as she deems necessary; and

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

The foregoing motion by Councillor Walker was carried on the following division of votes:

For: Councillor Flint; Councillor Johnston; Councillor Mihevc; Councillor Minnan-Wong; and Councillor Walker

Against: 0

(Clause No. 33, Report No. 5)

5.38 Preliminary Report – Application to Amend the Official Plan and Zoning By-law and Application for Site Plan Approval EPLCO Realty Group Ltd. (Northgrave Architects Inc.) 200 Balliol Street File No. 203008, TD CMB 2003 0006 (St. Paul’s – Ward 22)

The Midtown Community Council had before it a report (May 21, 2003) from the Director, Community Planning, South District, providing preliminary information on the above noted applications and to seek Community Council’s directions on further processing of the applications and on the community consultation process; 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 Walker, the Midtown Community Council adopted the foregoing report and referred same to Clerk’s and Planning staff for action.

(Clause No. 38(e), Report No. 5)

(Director, Community Planning, South District; City Clerk, Att: Nirmal Bahal c. Interested Persons – June 11, 2003)

5.39 Preliminary Report – Application to Amend the Official Plan for the former Borough of East York and Zoning By-law 1916, Plaza Works Overlea Inc., 60 Overlea Boulevard TD CMB 20030004 (Don Valley West – Ward 26)

The Midtown Community Council had before it a report (May 23, 2003) from the Director, Community Planning, South 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;
- (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. 38(f), Report No. 5)

(Director, Community Planning, South District; City Clerk, Att:
Nirmal Bahal c. Interested Persons – June 11, 2003)

5.40 Preliminary Report – Application to Amend the Official Plan and Zoning By-law and for Site Plan Approval – Panterra Federated Properties Corporation (Page and Steele Architects) 630 - 650 Mount Pleasant Road File No. 203004, TD CMB 20030003 (St. Paul's – Ward 22)

The Midtown Community Council had before it a report (May 21, 2003) from the Director, Community Planning, South District, providing preliminary information on the above noted 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;

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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 Walker, the Midtown Community Council adopted the foregoing report and referred same to Clerk's and Planning staff for action.

(Clause No. 38(g), Report No. 5)

(Director, Community Planning, South District; City Clerk, Att:
Nirmal Bahal c. Interested Persons – June 11, 2003)

5.41 Final Report – Application for Part Lot Control Exemption – Hyatt Homes Development Inc. (Bebris Architect) 26, 28, 30, 32, 34, 36 and 38 Corinth Gardens Part of Block B, Registered Plan 1251 Designated as Parts 1-24 Inclusive on a Draft Plan of Reference Prepared by Donald E. Roberts Ltd. O.L.S., Reference No. 02-5706-6, TD PLC 2003 0003 (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (May 26, 2003) from the Acting Director, Community Planning, North District, requesting exemption from part lot control in order that 6 semi-detached dwelling units may be conveyed into separate ownership and for the granting of rights-of-way and easements over 6 semi-detached dwelling units and 1 detached dwelling; and recommending that:

- (1) the application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1;
- (3) the by-law shall expire 18 months from the date of enactment; and
- (4) the appropriate City officials be authorized and directed to register the By-law on title.

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. 34, Report 5)

5.42 Final Report – Application to Amend the Official Plan for the Former Borough of East York and Zoning By-law 1916, 1500022 Ontario Limited (Turner Fleischer Architects Inc.) 237, 239 and 241 McRae Drive, 207 and 209 Randolph Road File Number TD CMB 200020008 (Don Valley West – Ward 26)

The Midtown Community Council had before it Clause No. 21 contained in Report No. 4 of the Midtown Community Council headed “Final Report – Application to Amend the Official Plan for the Former Borough of East York and Zoning By-law 1916, 1500022 Ontario Limited (Turner Fleischer Architects Inc.) 237, 239 and 241 McRae Drive, 207 and 209 Randolph Road File Number TD CMB 200020008 (Don Valley West – Ward 26)” which, City Council at its regular meeting held on May 21, 22 and 23, 2003, struck out and referred back to the Midtown Community Council for further consideration, and the City Arborist was requested to submit a report to the Midtown Community Council, for consideration therewith, providing comments on the retention of trees on the site and on Randolph Road.

The Midtown Community Council also had before it a report (June 6, 2003) from the Commissioner of Economic Development, Culture and Tourism, providing information as requested by City Council regarding the retention of trees at the proposed development site, 237, 239 and 241 McRae Drive and 209 Randolph Road; and recommending that:

- (1) the submitted proposal from Turner Fleischer Architect Inc. dated June 5, 2003 for retention and removal of trees on the site, of Randolph Road and McRae Drive be approved;
- (2) the 20 cm diameter Honeylocust, tree #6, as indicated in Attachment No. 1, on McRae Drive, be removed and replaced with a newly planted tree by the applicant;
- (3) as the application progresses, the applicant be required to review planting plans with Urban Forestry Services and plant replacement trees to the satisfaction of the Commissioner of Economic Development Culture and Tourism; and
- (4) 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:

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- John Quarterly, and submitted a written brief; and
- Susan Rosales, Senior Planner, Brown, Dryer, Karol, Gold, Lebow, on behalf of the applicant.

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

On motion by Councillor Pitfield, the Midtown Community Council:

- (A) again recommended to Council adoption of the report (April 15, 2003) from the Director, Community Planning, South District, wherein it is recommended 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; and
- (B) recommended to Council adoption of the report (June 6, 2003) from the Commissioner of Economic Development, Culture and Tourism.

The foregoing motion by Councillor Pitfield was carried on the following division of votes:

For: Councillor Flint;
Councillor Mihevc;
Councillor Pitfield; and

Councillor Walker.

Against: Councillor Johnston

Councillor Flint resumed the Chair.

(Clause 35, Report No. 5)

5.43 Introduction of New Staff Inspector, 53 Division, Toronto Police Services.

The Chair introduced Staff Inspector Robert Clarke, 53 Division, Toronto Police Services, who addressed the Midtown Community Council.

On motion by Councillor Walker, the Midtown Community Council welcomed Staff Inspector Robert Clarke and advised they look forward to working with him.

(Clause No. 38(h), Report No. 5)

5.44 Final Report – Draft Plan of Subdivision – 49 Country Lane K.P. Isberg Construction Inc. TD SUB 2002 0001 (Don Valley West – Ward 25)

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 (May 23, 2003) from the Acting Director, Community Planning, North District, recommending draft plan of subdivision approval to the Chief Planner for 49 Country Lane; proposing to extend Country Lane and divide the property into 5 residential lots; and recommending that Council:

- (1) recommend that the Chief Planner, who has been delegated authority to approve conditions of subdivision approval, approve the draft plan of subdivision, subject to the following conditions:
 - (i) that this proposal applies to the draft plan of subdivision prepared by Anton Kikas Limited, Consulting Engineers revised April 15, 2003 (Job No. 464E-02)
 - (ii) that all new lots and remnant lots created shall comply with the R1 zone regulations of By-law 7625, as amended;
 - (iii) that Street A shall be dedicated as a public highway on the final plan;

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- (iv) that Block 7 shall be dedicated and shown on the final plan as a municipal 0.3m reserve;
- (v) that Block 6 shall be dedicated to the Toronto and Region Conservation Authority and be used for open space only;
- (vi) that the owner shall grant an easement of a minimum width of 6.0 metres across the northern portion of Block 5 for the purposes of gaining access to Block 6 for the maintenance of trees and slope to the satisfaction of Commissioner of Economic Development, Culture and Tourism;
- (vii) that Block 6 shall be fenced along its west lot line and provide a restricted gate at the easement to provide access to Block 6, all to the satisfaction of Commissioner of Economic Development, Culture and Tourism;
- (viii) that the owner grant all easements as may be required for the provision of services and utilities to the authority having jurisdiction;
- (ix) that the appropriate standard conditions of approval for subdivisions shall apply (Attachment 7);
- (x) that the Owner agree to carry out or cause to carry out the conditions and requirements of the Technical Services Division and Transportation Services Division, Works and Emergency Services Department as stated in their memorandum dated April 23, 2003 (Attachment 4) and any addendums thereafter,
- (xi) that the Owner agree to carry out or cause to carry out the conditions and requirements of the Toronto and Region Conservation Authority as stated in their memorandum dated April 23, 2003 (Attachment 5) and any addendums thereafter,
- (xii) that the Owner agree to carry out or cause to carry out the conditions and requirements of the Economic Development, Culture and Tourism as stated in their memorandum dated January 7, 2003 and May 15, 2003 (Attachments 6 and 6a) and any addendums thereafter
- (xiii) that the draft plan of subdivision be subject to red-line revisions in order to meet any requirements of the above conditions, if necessary,

Notes to Draft Approval:

- (xiv) that the Owner be advised that Toronto Hydro requires the Owner to enter into an "Underground Supply Agreement" with Toronto Hydro.

The Midtown Community Council also had before it a communication (June 9, 2003) from Hayley Ohlig, President, York Mills Ratepayers' Association.

Ellen Standret, Planner, gave a brief presentation.

Kim M. Kovar, on behalf of the applicant, 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. 36, Report No. 5)

5.45 Request to Amend Subdivision Agreement - 9 Legacy Court, Lot 7, RP 66M-2331 UD 10 AME 9UDOZ-94-33 and UDSB-1221) (Don Valley West – Ward 25)

The Midtown Community Council had before it a report (May 23, 2003) from the Acting Director, Community Planning, North District, advising of a request for minor variances and consent and a request to amend the existing Subdivision Agreement as they relate to Lot 7 (9 Legacy Court); and recommending that:

- (1) Council advise the Midtown Committee of Adjustment that it has no objection to the requested variances and consent subject to the following conditions:
 - (i) the dwelling on Part 1 be developed within the building envelope submitted (Attachment 1);
 - (ii) building height on Part 1 be limited to 2 storeys;
 - (iii) no windows be permitted on the second floor of the new dwelling on Part 1 which would face lots fronting Carluke Crescent; and
 - (iv) the dwelling on Part 2 be constructed within its approved building envelope;
- (2) should the Midtown Committee of Adjustment approve the requested variances and consent, Council authorize the City Solicitor to amend the subdivision agreement governing Lot 7, Registered Plan 66M-2331, former City of North York, to grant the request of GSI Real Estate and Planning Advisors Inc. to add an additional lot and building envelope on the lot;
- (3) before any amendments to the subdivision agreement are executed, Council require the applicant to obtain final and binding approval from the Committee of Adjustment for the severance of the lot and any related minor variances for the lot and proposed dwelling which may result ; and
- (4) Council authorize the City Solicitor and other affected City officials as appropriate to do all things necessary to execute and amend the subdivision agreement between the owner and the City to grant this request.

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The Midtown Community Council also had before it a communication (June 9, 2003) from Ellen R. Auster.

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

- Bill Hollo, GSI Real Estate and Planning Advisors Inc., on behalf of the applicant; and submitted a written brief; and
- Mike Manett, on behalf of the area residents.

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

On motion by Councillor Flint, the Midtown Community Council referred the foregoing report back to the Acting Director, Community Planning, North District, with a request that he address the issue of the need for an additional lot, paying particular attention to the easement that runs through the subject property and report back to the Midtown Community Council,

Councillor Flint resumed the Chair.

(Clause No. 38(i), Report No. 5)

(Acting Director, Community Planning, North District; Manager, Urban Development Services, Midtown Committee of Adjustment c. Interested Persons – June 11, 2003)

**5.46 Appointment to Leaside Memorial Gardens Board of Management
(Don Valley West – Ward 26)**

The Midtown Community Council had before it a confidential communication (May 13, 2003) from the General Manager, Leaside Gardens, recommending the appointment of a member for the remainder of the term, such communication to be considered in-camera because the subject matter contains information about an identifiable individual.

On motion by Councillor Pitfield, the Midtown Community Council recommended to Council the appointment of the nominee contained in the confidential transmittal letter (May 13, 2003) from Mr. Henry Stachelbeck, General Manager, Leaside Memorial Community Gardens, for a term of office

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expiring November 30, 2003, and until their
successor is appointed.

(Clause No. 37, Report No. 5)

The Midtown Community Council recessed at the following times:

recessed: 11:27 a.m.

resumed: 2:03 p.m.

The Midtown Community Council adjourned its meeting at 2:55 p.m.

Chair