

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Midtown Community Council

Meeting No. 6

Tuesday, July 8, 2003

The Midtown Community Council met on Tuesday, July 8, 2003 in the Council Chambers, North York Civic Centre, Toronto, commencing at 9:30 a.m.

Members Present:

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

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 June 10, 2003, were confirmed.

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

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

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Cori Halpern was present during consideration of this matter.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council that the application for angled driveway widening at 255 Elm Road, as shown on Appendix 'A', notwithstanding that the required 2.0 m setback will not be provided, be approved, subject to:

- (a) the parking area not exceeding 2.6 m by 5.0 m in dimension;
- (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 248, Parking and Licences of the former City of Toronto Municipal Code.

(Clause No. 1, Report No. 6)

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

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

Aaron Glassman was present during consideration of this matter.

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

the application for driveway widening for three parking spaces at 24 Duncannon Drive, as shown on Appendix 'C', notwithstanding the existing asphalt paving does not meet the City's current paving specifications, be approved, subject to:

- (a) the parking space within the limit of the driveway wholly on private property not exceeding 2.6 m by 5.5 m in dimension and the two parking spaces partially on the City boulevard not exceeding 2.35 m by 5.5 m in dimension;
- (b) the applicants providing the landscape features substantially in accordance with the plan, as shown on Appendix 'E', 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 248, Parking Licences, of the former City of Toronto Municipal Code.

(Clause No. 2, Report No. 6)

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

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

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for driveway widening for two

parking spaces at 62 Russell Hill Road, as shown on Appendix 'A', notwithstanding there is excess paving, be approved, subject to:

- (a) the parking area for each parking 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. 3, Report No. 6)

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

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

On motion by Councillor Walker, the Midtown Community Council submitted the foregoing report to Council without recommendation.

(Councillor Walker c. Interested Persons – July 9, 2003)

(Clause No. 4, Report No. 6)

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

The Midtown Community Council had before it a report (June 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, requesting an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 27 Duncannon Drive, which does not meet the requirements of the Code; that as this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application to permit driveway widening for two parking spaces at 27 Duncannon Drive.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the request to permit driveway widening for two vehicles at 27 Duncannon Drive, as shown on Appendix 'A', notwithstanding the existing asphalt paving does not meet the City's current paving specifications, be approved, subject to:

- (a) the parking area for each space not exceeding 2.4 m by 5.9 m in dimension;
- (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 248, Parking Licences, of the former City of Toronto Municipal Code.

(Clause No. 5, Report No. 6)

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

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

George Tolomiczenko 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 recommended to Council that the application for residential boulevard parking for two parking spaces on Haslemere Road, as shown on Appendix 'A', notwithstanding that there is an existing single car garage on the property and that the required setback would not be provided, be approved, subject to:

- (a) the parking area for each space not exceeding 2.6 m by 5.9 m in dimension;
- (b) the width of the private approach not exceeding 1.06 m;
- (c) the roadway not being encumbered at any time by vehicles overhanging the roadway and vehicular traffic being maintained at all times;
- (d) the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent paving treatment acceptable to the Commissioner of Works and Emergency Services;

- (e) 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
- (f) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code.

Councillor Flint resumed the Chair.

(Clause No. 6, Report No. 6)

6.7 Encroachment Agreement – 31 Rollscourt Drive (Don Valley West – Ward 25)

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

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

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

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

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. 7, Report No. 6)

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

The Midtown Community Council had before it a report (June 17, 2003) from the Director, Transportation Services, District 3, prohibiting parking at anytime on the north side of Douglas Avenue, east of Avenue Road; and recommending that:

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

Douglas Avenue, from a point 73 metres east of Avenue Road to the east limit of Douglas Avenue; and

- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime from the easterly limit of Avenue Road to a point 115 metres east of the easterly limit of Avenue Road.

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

(Clause No. 8, Report No. 6)

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

The Midtown Community Council had before it a report (June 20, 2003) from the Director, Transportation Services District 1, requesting the removal of an on-street disabled persons' parking space; and recommending that:

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

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

(Clause No. 9, Report No. 6)

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

The Midtown Community Council had before it a report (June 18, 2003) from the Director, Transportation Services District 1, with respect to providing parking opportunities for disabled persons fronting Forest Hill Public School; and recommending that:

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

The Midtown Community Council also had before it a communication (July 3, 2003) from Barb Orr.

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

(Clause No. 10, Report No. 6)

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

The Midtown Community Council had before it a report (June 25, 2003) from the Director, Transportation Services, District 3, reporting on the results of the speed hump poll that was undertaken of the residents of Old Yonge Street, between York Mills Road and Campbell Crescent; and recommending that:

- (1) as a satisfactory poll of residents on Old Yonge Street was achieved, the following adopted recommendations within Clause J(4), as adopted by City Council at its meeting of May 21, 22, and 23, 2003, be implemented;
 - (a) a by-law be prepared and public notice be given pursuant to the Municipal Act and Municipal Class Environmental Assessment Act for the alteration of sections of the roadway on Old Yonge Street for traffic calming purposes, described as the construction of speed humps on Old Yonge Street, generally as shown on Drawing No. NY-1451, attached; and

- (b) pursuant to the requirements of “Schedule B” of the Municipal Class Environmental Assessment Act and upon approval of a by-law by Council, Notice of Completion be issued.
- (2) subject to all competing priorities and available funding, this project, based upon it’s score of 31 points out of a possible 100, be included as part of the 2003 Transportation Services Capital Budget; and
- (3) appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

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. 11, Report No. 6)

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

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

- (1) a “No Parking Anytime” regulation be enacted on both sides of Sutherland Drive between Glenvale Boulevard and the northerly limit of Sutherland Drive, subject to the favourable results of polling of the affected residents, conducted according to the policy of the former Borough of East York; and
- (2) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

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

(Clause No. 12, Report No. 6)

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

The Midtown Community Council had before it a report (June 16, 2003) from the Director, Transportation Services, District 3, designating the southbound traffic lanes on Lesmill Road at Duncan Mill Road; and recommending that:

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

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

(Clause No. 13, Report No. 6)

**6.14 400 Eglinton Avenue West (Eglinton Theatre) – Alterations to a Heritage Building
and Designation under Part IV of the Ontario Heritage Act
(Eglinton – Lawrence – Ward 16)**

The Midtown Community Council had before it a report (June 4, 2003) from the Commissioner Economic Development, Culture and Tourism, on approving alterations to the property at 400 Eglinton Avenue West (Eglinton Theatre) and to recommend that the property be designated under Part IV of the Ontario Heritage Act; and recommending that:

- (1) City Council state its intention to designate the property at 400 Eglinton Avenue West (Eglinton Theatre) under Part IV of the *Ontario Heritage Act*;

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- (2) the alterations to the Heritage Building substantially as shown in the drawings prepared by Munge/Leung: design associates, date stamped May 22, 2003 by Heritage Preservation Services, be approved subject to the inclusion of following conditions in a Site Plan Undertaking/Agreement:
- (a) the Owner shall at all times maintain the Heritage Building in as good and as sound a state of repair as a prudent owner would normally do, so that no deterioration in the Heritage Building's condition and appearance shall take place;
 - (b) the Owner shall at all times keep the Heritage Building insured against normal perils that are coverable by fire and extended coverage insurance in an amount equal to the full replacement cost of the Building. The Owner shall deposit with Heritage Preservation Services within three weeks of the execution of this Agreement, a certificate of insurance in respect of the insurance policy referred to above with limits and in a form acceptable to Heritage Preservation Services. Thereafter evidence satisfactory to the City of the renewal of insurance shall be delivered to the city at least three business days before the termination of the policy;
 - (c) the Owner shall not erect or permit the erection on the Heritage Building any signs, awnings, aerials or other objects of a similar nature without the prior written approval of the Manager of Heritage Preservation Services;
 - (d) the Owner safely store on site the existing hanging lights in the auditorium, should the lights not be used in the redevelopment; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Midtown Community Council also had before it a communication (June 23, 2003) from the City Clerk, Toronto Preservation Board, recommending to the Midtown Community Council and City Council, the adoption of the report (June 4, 2003) from the Commissioner of Economic Development, Culture and Tourism.

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

(Clause No. 14, Report No. 6)

**6.15 77 St. Edmund's Drive (Wilfred S. Dinnick House and Garage)
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (June 2, 2003) from the City Clerk, recommending that:

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

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. 15, Report No. 6)

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

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

On motion by Councillor Minnan-Wong, the Midtown Community submitted the foregoing report to Council for information.

(Clause No. 16, Report No. 6)

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

The Midtown Community Council had before it a report (June 23, 2003) from the City Surveyor, Works and Emergency Services, recommending that:

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- (1) the proposed public street to be located at 1929 Bayview Avenue, as shown on Attachment No. 1, be named "Colonel Baker Drive"; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Warren Yule, Project Manager, Bloorview MacMillan Children's Centre, appeared before the Midtown Community Council in connection with the foregoing matter.

On motion by Councillor Pitfield, the Midtown Community Council submitted the foregoing report to Council without recommendation.

Councillor Pitfield agreed to consult with interested parties prior to the meeting of Council with a view to reaching an agreement with respect to the street name.

(Councillor Pitfield c. City Surveyor; Warren Yule, Project Manager, Bloorview MacMillan Children's Centre – July 9, 2003)

(Clause No. 17, Report No. 6)

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

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

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

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

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

(Clause No. 18, Report No. 6)

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

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

- (1) the request for a minor variance be **approved** to permit, for identification purposes, a non-illuminated fascia sign on the east elevation of the building at 43 Eglinton Avenue East; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

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

(Clause No. 19, Report No. 6)

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

The Midtown Community Council had before it a report (June 23, 2003) the Director of Building and Deputy Chief Building Official, with respect to a request by Leroy Casanova of Astral Media Outdoor on behalf of the owners of the property, 983829

Ontario Limited, for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of an off premise roof sign on a commercial building; and recommended that the request for variance be refused for the reasons outlined in this report.

The Midtown Community Council also had before it a communication (July 7, 2003) from Dave Mackie, Astral Media Outdoor.

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

(Director of Building and Deputy Chief Building Official c. Dave Mackie, Astral Media Outdoor – July 9, 2003)

(Clause No. 24(a), Report No. 6)

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

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

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

(Clause No. 20, Report No. 6)

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

The Midtown Community Council had before it a report (June 24, 2003) from the Commissioner of Economic Development, Culture and Tourism, seeking approval for the proposed re-naming of Don Mills Parkette to Macklin Hancock Parkette; and recommending that:

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

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

- Ken Dunsmore, President, Don Mills Residents Inc., and submitted a written brief; and
- Karl Frank, Don Mills Residents Inc., and submitted a written brief.

On motion by Councillor Minnan-Wong, as amended by Councillor Johnston, the Midtown Community Council recommended to Council:

- (1) adoption of the foregoing report;
- (2) that the new park sign be in the same style as the existing park sign; and
- (3) that the Commissioner of Economic Development, Culture and Tourism be requested, in future, when a park is named after an individual, to install a plaque in the park providing historical information about such individual.

(Clause No. 21, Report No. 6)

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

The Midtown Community Council had before it a report (June 4, 2003) from the Director, Community Planning, South District, providing preliminary information on the above-noted application and seeking Community Council's directions of further processing of the application and on the community consultation process; and recommending that:

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

(Director, Community Planning, South District; City Clerk, attention: Nirmal Bahal c. Interested Persons – July 9, 2003)

(Clause No. 24(b), Report No. 6)

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

The Midtown Community Council had before it a report (June 19, 2003) from the Director, Community Planning, South District, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process; and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

On motion by Councillor Walker, the Midtown Community Council referred the foregoing report back to the Director, Community Planning, South District, with a request that he submit a further report to the appropriate Community Council, in consultation with the City Solicitor, the President of

the Toronto Parking Authority, City Clerk and the Ward Councillor, with respect to issues raised regarding the Agreement of Purchase and Sale with First Spadina Place Inc.

(Director, Community Planning, South District; President of the Toronto Parking Authority; Councillor Walker; City Clerk; City Solicitor c. Interested Persons – July 9, 2003)

(Clause No. 24(c), Report No. 6)

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

The Midtown Community Council had before it a report (June 19, 2003) from the Director, Community Planning, South District, recommending refusal of the applications to amend the Official Plan and the Zoning By-law for a proposed residential development of 483 dwelling units contained within two apartment buildings, 8 and 11-storeys in height, and seven 3-storey townhouses; and recommending that Council:

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

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

(Clause No. 22, Report No. 6)

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

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.

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

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

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

- (i) (June 23, 2003) from Laurel Amalia;
- (ii) (June 25, 2003) from Renee Sieburth;
- (iii) (July 2, 2003) from Laurel Amalia;
- (iv) (June 22, 2003) from Dr. and Mrs. Andrew Halmagyi;
- (v) (June 26, 2003) from Ann and Jack Harrison;
- (vi) (June 27, 2003) from M. Russell;
- (vii) (June 28, 2003) from Jean Loree; and
- (viii) (July 7, 2003) from Phil Mercurio and Susie Colomvakos-Mercurio.

Lynn Poole, Planner, gave a brief presentation.

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

- Kim M. Kovar, Aird and Berlis, on behalf of the applicant; and
- Ann Harrison.

On motion by Councillor Minnan-Wong, the Midtown Community Council recommended to Council adoption of the following report, as amended by:

- (1) amending draft Zoning By-law Amendment [Attachment 9] Section No. 2(h) by inserting the words “outdoors” after the words “not permitted”, so that such section shall now read as follows:

“The use of sound reproduction equipment, or other mechanical or electrical or electronic music equipment, and dancing, theatrical performances or film presentations, music concerts and shows are not permitted outdoors, however the playing of musical instruments is permitted subject to the provisions of By-law No. .”; and

- (2) amending draft Zoning By-law Amendment (Attachment 10) by amending Section No. 2, under the heading “PERMITTED USES” by inserting the word “outdoor” after the words “Non amplified”, so that such section shall now read as follows:

“Non amplified outdoor music associated with a Banquet Hall shall be permitted for a one year period.”

(Clause No. 23, Report No. 6)

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

The Midtown Community Council had before it a report (June 24, 2003) from the Director, Transportation Services, District 3, with respect to a request to install a Pedestrian Crossover (PXO) on York Mills Road, in the vicinity of Birchwood Avenue; and recommending that a PXO not be installed on York Mills Road, in the vicinity of Birchwood Avenue and that this report be received for information only.

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

On motion by Councillor Flint, the Midtown Community Council referred the foregoing report to the Works Committee for consideration.

Councillor Flint resumed the Chair.

(Works Committee – July 9, 2003)

(Clause No. 24(d), Report No. 6)

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

The Midtown Community Council had before it Clause No. 13 of Report No. 5 of the Midtown Community Council headed “McNairn Avenue at Yonge Street – Implementation of Turn Prohibitions (Eglinton-Lawrence - Ward 16)” which was struck out and referred back to the Midtown Community Council for further consideration, in order to conduct a poll of the area, by City Council at its meeting on June 24, 25 and 26, 2003.

On motion by Councillor Johnston, the Midtown Community Council referred the foregoing Clause to Councillor Johnston for action as she deems appropriate and with a request that she report back thereon to the next meeting of the Midtown Community Council on September 9, 2003.

(Councillor Johnston c. Director, Transportation Services, District 1 – July 9, 2003)

(Clause No. 24(e), Report No. 6)

The Midtown Community Council recessed at the following times:

recessed: 10:20 a.m.
resumed: 10:38 a.m.

The Midtown Community Council adjourned its meeting at 11:20 a.m.