

**THE CITY OF TORONTO**

**City Clerk's Office**

**Minutes of the Midtown Community Council**

**Meeting No. 7**

**Tuesday, September 9, 2003**

The Midtown Community Council met on Tuesday, September 9, 2003 in the Council Chambers, North York Civic Centre, Toronto, commencing at 9:36 a.m.

Members Present:

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

Councillor Mihevc in the Chair.

**Confirmation of Minutes.**

On motion by Councillor Walker, the Minutes of the meeting of the Midtown Community Council held on July 8, 2003, were confirmed.

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

The Midtown Community Council had before it a communication (July 9, 2003) from the City Clerk advising that the Midtown Community Council, at its meeting on July 8, 2003, referred 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)" 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.

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

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

- (i) (August 31, 2003) from Glenn Ginou;
- (ii) (September 5, 2003) from Councillor Johnston, advising of poll results on McNairn Avenue; and recommending adoption of the report (April 22, 2003) from the Director, Transportation Services, District 1, wherein it is recommended 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; and
- (iii) (September 8, 2003) from residents of McNairn Avenue.

On motion by Councillor Johnston, the Midtown Community Council again recommended to Council adoption of the report (April 22, 2003) from the Director, Transportation Services, District 1, contained in Clause No. 13 of Report No. 5 of the Midtown Community Council.

**(Clause No. 1, Report No. 7)**

**7.2 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 again had before it a report (June 19, 2003) from the Director, Community Planning, South District, providing preliminary information on the above application to amend the Zoning By-law 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;

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (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.

The Midtown Community Council at its meeting on July 8, 2003, had referred the aforementioned 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.

The Midtown Community Council also had before it a report (August 22, 2003) from the Director, Community Planning, South District and City Solicitor, reporting as requested with respect to issues raised regarding the Agreement of Purchase and Sale with First Spadina Place Inc. for portions of the property known municipally as 453 Spadina Road; and recommending that this report be received for information.

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

- (i) (August 14, 2003) from Ronald M. Lieberman;
- (ii) (September 2, 2003) from Adam J. Brown, Sherman, Brown, Dryer, Karol, Barristers and Solicitors, requesting the Midtown Community Council to delay making a decision on this matter until hearing from Mr. Brown; and
- (iii) (September 8, 2003) addressed to Councillor Walker from the President, Toronto Parking Authority.

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

- Ted Matlow;
- Susan Rosales, Planner, Sherman Brown Dryer Karol Gold Lebow, on behalf of the applicant;
- Adam Brown, Solicitor, Sherman Brown Dryer Karol Gold Lebow, on behalf of the applicant; and
- Ronald M. Lieberman.

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

- (1) upon a 2/3rds vote of all Members of Council, the Auditor General be requested:

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (a) to examine all relevant matters surrounding the execution on behalf of the City of Toronto of an agreement of purchase of sale dated November 8, 2001, between First Spadina Place Inc., Toronto Parking Authority and City of Toronto with respect to the property located at the north-east corner of Spadina Road and Thelma Avenue on which there presently exists a municipal parking lot;
  - (b) to receive such written and oral submissions with right of rebuttal, relevant to the opinion sought of him in a timely and expeditious manner from any of the parties to the agreement and from Ted Matlow and Ronald Liebrman as any of them should wish to make;
  - (c) to render a written opinion within thirty days as to whether or not the agreement was authorized by the resolution of Toronto City Council passed at its meeting of April 11, 12 and 13, 2000, and to provide copies of the opinion to the other parties to the agreement and to Ted Matlow and Ronald Lieberman; and
- (2) the City Solicitor be directed to appear before the Ontario Municipal Board to request a deferral of the hearing until City Council has had an opportunity to review the propriety of the November 8, 2001 Agreement of Purchase and Sale.

**(Clause No. 2, Report No. 7)**

**7.3 Renaming of Davisville Park, Ward 22, to “June Rowlands Park”  
(St. Paul’s – Ward 22)**

The Midtown Community Council had before it a communication (August 25, 2003) from Councillor Michael Walker recommending that the Commissioner of Economic Development, Culture and Tourism be directed to submit a report to the upcoming City Council meeting on September 22, 23 and 24, 2003 on the renaming of Davisville Park to “June Rowlands Park”.

The Midtown Community Council also had before it a communication (May 5, 2003) from Howard Brown.

On motion by Councillor Walker:

- (1) the Midtown Community Council recommended that Council at its meeting on September 22, 2003, consider a report from the Commissioner, Economic Development, Culture and Tourism on renaming “Davisville Park” to “June Rowlands Park”; and
- (2) requested the Commissioner, Economic Development, Culture and Tourism, to submit a report in this regard directly to Council.

(Commissioner, Economic Development, Culture and Tourism; c.  
Councillor Walker; Howard Brown – September 12, 2003)

**(Clause No. 3, Report No. 7)**

**7.4 Request for Resident Poll to Determine Support for Speed Humps on  
Shelborne Avenue between Bathurst Street and Glen Rush Boulevard  
(Eglinton-Lawrence – Ward 16)**

The Midtown Community Council had before it the following Resolution by Councillor Johnston:

“WHEREAS the residents of Shelborne Avenue have expressed concern with regards to the vehicle speeds on the roadway between Bathurst Street and Glen Rush Boulevard; and

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

WHEREAS staff of District 3, Transportation Services Division has confirmed that the 85<sup>th</sup> percentile speed on Shelborne Avenue, between Bathurst Street and Glen Rush Boulevard, is 60 kilometres per hour within the 50 kilometres per hour speed zone;

NOW THEREFORE BE IT RESOLVED THAT the appropriate staff be authorized to conduct a poll of eligible residents on Shelborne Avenue, from Bathurst Street and Glen Rush Boulevard, to determine resident support for the speed hump plan, in accordance with the City of Toronto Traffic Calming Policy, and public notice be given pursuant to the *Municipal Class Environmental Act*, including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Services and the Toronto Police Services;

AND BE IT FURTHER RESOLVED THAT, subject to favourable results of the poll:

- (1) a by-law be prepared for the alteration of sections of the roadway on Shelborne Avenue, from Bathurst Street to Glen Rush Boulevard, for traffic calming purposes, as shown in the attached speed hump plan No. NY-1473; and
- (2) pursuant to the requirements of the *Municipal Class Environment Assessment Act*, Notice of Completion be issued;

AND BE IT FURTHER RESOLVED THAT 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 Johnston, the Midtown Community Council recommended to Council adoption of the foregoing Resolution by Councillor Johnston.

**(Clause No. 4, Report No. 7)**

**7.5 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 39 Elwood Boulevard (Eglinton – Lawrence – Ward 16)**

The Midtown Community Council had before it a report (August 18, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

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 39 Elwood Boulevard, which does not meet the requirements of the Code; and recommending that City Council deny the application to permit driveway widening for two vehicles at 39 Elwood Boulevard.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council that the application for two parking spaces at 39 Elwood Boulevard, 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. 5, Report No. 7)**

**7.6 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 68 Chudleigh Avenue (Eglinton – Lawrence – Ward 16)**

The Midtown Community Council had before it a report (August 19, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 68 Chudleigh Avenue, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the application for driveway widening at 68 Chudleigh Avenue.

Anne Quan was present during discussion of this matter.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council that the foregoing report (August 19, 2003) be received.

**(Clause No. 6, Report No. 7)**

**7.7 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit the Existing Paving to Remain in Connection with Driveway Widening at 91 Lawrence Avenue West (Eglinton – Lawrence – Ward 16)**

The Midtown Community Council had before it a report (August 21, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with driveway widening at 91 Lawrence Avenue West, which does not meet the requirements of the Code; and recommending that City Council deny the request to maintain the existing asphalt paving in connection with driveway widening at 91 Lawrence Avenue West.

On motion by Councillor Johnston, the Midtown Community Council recommended to Council that the request to maintain the existing asphalt paving in connection with driveway widening at 91 Lawrence Avenue West, as shown on Appendix 'A', be approved, 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; and
- (b) 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. 7, Report No. 7)**

**7.8 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 350 Manor Road East (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 350 Manor Road East, which does not meet the requirements of the Code; that this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item; and recommending that City Council deny the request to permit driveway widening at 350 Manor Road East.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for driveway widening at 350 Manor Road East, as shown on Appendix 'A', notwithstanding that the parking area will encroach onto the mutual driveway, be approved, subject to:

- (a) the parking area not exceeding 2.0 m by 5.9 m in dimension;
- (b) the use of the parking area being discontinued should the property owners of 352 Manor Road East rescind their consent or in the event the property is sold, until such time as the new owners provide a letter of consent;
- (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 248, Parking Licences, of the former City of Toronto Municipal Code.

**(Clause No. 8, Report No. 7)**

**7.9 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 37 Banff Road (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 37 Banff Road, which does not meet the requirements of the Code; and recommending that City Council deny the application to permit driveway widening for two vehicles at 37 Banff Road.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application to permit driveway widening for two parking spaces at 37 Banff Road, as shown on Appendix 'A', notwithstanding that the required landscaped space will not be provided, be approved, subject to:

- (a) the angled parking space not exceeding 1.8 m in by 4.78 m in dimension and the perpendicular parking space not exceeding 1.8 m by 5.2 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. 9, Report No. 7)**

**7.10 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles at 321 Warren Road (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1 reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for two vehicles at 321 Warren Road, which does not meet the requirements of the Code; and recommending that City Council deny the application for driveway widening for two vehicles at 321 Warren Road.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for driveway widening at 321 Warren Road, as shown Appendix 'A', be approved, subject to:

- (a) the parking area not exceeding 2.18 m by 5.0 m for one space and the parking area not exceeding 2.2 m by 5.0 m for the second space in dimensions;
- (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. 7)**

**7.11 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening at 33 Thelma Avenue (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a

request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 33 Thelma Avenue, which does not meet the requirements of the Code; and recommending that City Council deny the application for angled driveway widening at 33 Thelma Avenue.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for angled driveway widening at 33 Thelma Avenue, notwithstanding there is an existing integral single car garage, be approved, as is, subject to 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. 11, Report No. 7)**

**7.12 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 39 Thelma Avenue (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 39 Thelma Avenue, which does not meet the requirements of the Code; and recommending that City Council deny the application for driveway widening at 39 Thelma Avenue.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for driveway widening at 39 Thelma Avenue, notwithstanding there is an existing integral single car garage, be approved, as is, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code.

**(Clause No. 12, Report No. 7)**

**7.13 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening at 40A Thelma Avenue (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 40A Thelma Avenue, which does not meet the requirements of the Code; and recommending that City Council deny the application for driveway widening at 40A Thelma Avenue.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for driveway widening at 40A Thelma Avenue, notwithstanding that the mutual driveway exceeds a width of 2.6 m, be approved, as is, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code.

**(Clause No. 13, Report No. 7)**

**7.14 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening at 42 Thelma Avenue (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 42 Thelma Avenue, which does not meet the requirements of the Code; and recommending that City Council deny the application for driveway widening at 42 Thelma Avenue.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for driveway widening at 42 Thelma Avenue, notwithstanding that the mutual driveway exceeds a width of 2.6 m, be approved, as is, subject to the applicant paying all applicable fees and

complying with all other criteria set out in Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code.

**(Clause No. 14, Report No. 7)**

**7.15 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 44 Thelma Avenue (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 44 Thelma Avenue, which does not meet the requirements of the Code; and recommending that City Council deny the application for driveway widening at 44 Thelma Avenue.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for driveway widening at 44 Thelma Avenue, notwithstanding that the mutual driveway exceeds a width of 2.6 m, be approved, as is, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code.

**(Clause No. 15, Report No. 7)**

**7.16 Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit the Existing Paving to Remain in Connection with Front Yard Parking at 595 Eglinton Avenue East (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with front yard parking at 595 Eglinton Avenue East, which does not meet the requirements of the Code; and recommending that City Council deny the request to maintain the existing concrete paving in connection with the application for front yard parking at 595 Eglinton Avenue East.

The Midtown Community Council also had before it a communication (September 3, 2003) from E. Marton.

Edith Kunszt was present during discussion of this matter.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for front yard parking at 595 Eglinton Avenue East, notwithstanding the existing concrete paving does not meet the City's paving specifications, be approved, as is, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code.

**(Clause No. 16, Report No. 7)**

**7.17 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit the Existing Paving to Remain in Connection with Driveway Widening at 21 Banff Road (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with driveway widening at 21 Banff Road, which does not meet the requirements of the Code; and recommending that City Council deny the request to maintain the existing asphalt paving in connection with driveway widening at 21 Banff Road.

The Midtown Community Council also had before it a communication (September 8, 2003) from Robert Carleton.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the request to maintain the existing asphalt paving in connection with driveway widening at 21 Banff Road, as shown on Appendix 'A', be approved, subject to:

- (a) the parking area not exceeding 2.2 m by 4.5 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. 17, Report No. 7)**

**7.18 Request for an Exemption from Chapter 248, of the Former City of Toronto Municipal Code to Permit the Existing Paving to Remain in Connection with Driveway Widening at 18 Cuthbert Crescent (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the existing paving to remain in connection with driveway widening at 18 Cuthbert Crescent, which does not meet the requirements of the Code; and recommending that City Council deny the request to maintain the existing concrete paving in connection with driveway widening at 18 Cuthbert Crescent.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the request to maintain the existing concrete paving in connection with driveway widening at 18 Cuthbert Crescent, be approved, as is, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code.

**(Clause No. 18, Report No. 7)**

**7.19 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 1176 Mt. Pleasant Road (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 20, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 1176 Mt. Pleasant Road, which does not meet the requirements of the Code; and recommending that City Council deny the application for driveway widening at 1176 Mt. Pleasant Road.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application for driveway widening at 1176 Mt. Pleasant Road, as shown on Appendix 'A', notwithstanding that there is an existing 3.5 m wide driveway providing access to the rear, and the required setbacks are not provided, be approved, subject to:

- (a) the parking area not exceeding 2.0 m by 4.7 m in dimension;
- (b) the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent paving treatment acceptable to the Commissioner of Works and Emergency Services;
- (c) the 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. 19, Report No. 7)**

**7.20 Request for an Exemption from Chapter 313 of the Former City of Toronto Municipal Code to Permit Residential Boulevard Parking at 1501 Mt. Pleasant Road (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 13, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for an exemption from Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, to permit residential boulevard parking at 1501 Mt. Pleasant Road, which does not meet the requirements of the Code; and recommending that City Council deny the application for residential boulevard parking at 1501 Mt. Pleasant Road.

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

- (i) (September 8, 2003) from Alix de la Haye; and
- (ii) (September 8, 2003) from Mark Chapman and Mari Kluge.

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

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council that the application for residential boulevard parking for two parking spaces at 1501 Mt. Pleasant Road, as shown on Appendix 'A', notwithstanding that there is an existing single car garage and access to the rear yard is feasible, be approved, subject to:

- (a) the parking area not exceeding 2.2 m by 4.89 m for the northerly space and 2.6 m by 4.89 m for the southerly space;
- (b) the existing wooden fence being modified to extend the parking area and to provide a 1.8 m vision splay;
- (c) the City sidewalk not being encumbered at any time by vehicles overhanging the sidewalk and pedestrian traffic being maintained at all times;
- (d) 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

- (e) the applicants 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 Mihevc resumed the Chair.

**(Clause No. 20, Report No. 7)**

**7.21 295 Brooke Avenue - Request to Remove One City Owned Tree (Eglinton-Lawrence – Ward 16)**

The Midtown Community Council had before it a report (August 22, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting on a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, for permission to remove one City owned tree situated on the City road allowance adjacent to the above noted property; and recommending that:

- (1) Midtown Community Council deny the request for the removal of the one City owned tree at 295 Brooke Avenue; or
- (2) Midtown Community Council approve the request for the removal of one City owned tree located at 295 Brooke Avenue conditional on:
  - (i) the applicant paying for the value of the Little-leaf Linden tree and for all associated removal and replacement costs, that is \$3,665.00; and
  - (ii) the subject tree not being removed until permitted construction and/or demolition related activities in accordance with plans commence and warrant the destruction of the tree;
  - (iii) the applicant planting one 70-mm replacement tree to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
  - (iv) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$588.00 to cover the costs of removal, maintenance and replacement of the 70-mm tree planted on City property.

Frank Tersigni 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 request for the removal of one City owned tree located at 295 Brooke Avenue, be approved, conditional on:

- (a) the applicant paying for the value of the Little-leaf Linden tree and for all associated removal and replacement costs, that is \$3,665.00;
- (b) the subject tree not being removed until permitted construction and/or demolition related activities in accordance with plans commence and warrant the destruction of the tree;
- (c) the applicant planting one 70-mm replacement tree 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 removal, maintenance and replacement of the 70-mm tree planted on City property.

**(Clause 21, Report 7)**

**7.22 200 Balliol Street – Removal of Eight Privately Owned Trees  
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (August 8, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting that a request has been filed in connection with Official Plan Amendment, Rezoning and Site Plan Approval Application No. 203008 for a permit to remove eight trees located on private property; and recommending that:

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (1) the request for a permit for tree removal at 200 Balliol Street be denied; or
- (2) the request for a permit for tree removal at 200 Balliol Street be approved subject to:
  - (a) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Official Plan Amendment, Rezoning and Site Plan Approval Application No. 203008 commence which warrant the destruction of the trees; and
  - (b) the applicant agreeing to plant replacement trees acceptable to the Commissioner of Economic Development, Culture and Tourism.

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

- (i) (August 12, 2003) from Belinda Morale, Planner, Sherman Brown Dryer Karol, requesting that this matter be considered at noon or 4:00 p.m.; and
- (ii) (September 8, 2003) from Adam J. Brown, Sherman Brown Dryer Karol.

Susan Rosales, Planner, on behalf of Adam Brown, Sherman Brown Dryer Karol, was present during discussion of this matter.

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

(Commissioner of Economic Development, Culture and Tourism;  
c. Interested Persons – September 12, 2003)

**(Clause No. 76(a), Report 7)**

**7.23 114 Dinnick Crescent – Removal of One Privately Owned Tree and Injury to One Privately Owned Tree (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 18, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting that an application for a permit to remove one 56 cm diameter Norway maple tree and to injure one 96 cm diameter Norway maple tree, on private property has been filed by the agent for the owners of 114 Dinnick Crescent, Toronto, Ontario, M4N 1L8; and recommending that:

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (1) Midtown Community Council deny the request for the removal of one privately owned tree and injury to one privately owned tree at 114 Dinnick Crescent; or
- (2) Midtown Community Council approve the request for the removal of one privately owned tree and injury to one privately owned tree at 114 Dinnick Crescent; and
- (3) 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:

- Brad Abbott, on behalf of the owners;
- Mrs. Sidorowic; and
- Catherine Howell.

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

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council that the request for the removal of one privately owned tree and injury to one privately owned tree at 114 Dinnick Crescent, be approved conditional on the subject tree not being removed until the relevant building permits and planning approvals have been issued; and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Councillor Walker resumed the Chair.

**(Clause No. 22, Report No. 7)**

**7.24 5 Donino Avenue - Request to Remove Two City Owned Trees  
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 18, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting that a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, for permission to remove two City owned trees situated on the City road allowance adjacent to the above noted property.

The Midtown Community Council also had before it a communication (August 12, 2003) from Bill Hall, Peter Higgins Architect Inc., withdrawing the application.

The Midtown Community Council took no action with respect to the foregoing matter because the application has been withdrawn.

(Commissioner of Economic Development, Culture and Tourism;  
c. Interested Persons – September 12, 2003)

**(Clause No. 76(b), Report 7)**

**7.25 24 Cannonbury Court - Request to Remove Two City Owned Trees  
(Don Valley East – Ward 34)**

The Midtown Community Council had before it a report (August 22, 2003) from the Commissioner, Economic Development, Culture and Tourism, reporting on a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, for permission to remove two City owned trees situated on the City road allowance adjacent to the above noted property.

The Midtown Community Council also had before it a communication (September 3, 2003) from Joan Hamilton, owner, clarifying her position.

On motion by Councillor Minnan-Wong, the Midtown Community Council received the foregoing report and took no action with respect thereto because the owners had not made an application for tree removal.

(Commissioner of Economic Development, Culture and Tourism;  
c. Interested Persons – September 12, 2003)

**(Clause No. 76 (c), Report 7)**

**7.26 550 Rushton 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 (August 21, 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 an existing fence to remain on the property; and recommending that the

application be refused as the height of the fence is not in compliance with the regulation set out in Toronto Municipal Code, Chapter 447, Fences.

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

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council that the application for an exemption to the Toronto Municipal Code, Chapter 447, Fences, to permit an existing fence to remain on the property be approved and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Councillor Mihevc resumed the Chair.

**(Clause No. 23, Report No. 7)**

**7.27 Request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit a non-illuminated projecting sign for identification purposes, on the west elevation of the building at 443 Mount Pleasant Road, 903033, 03-141598 ZSV (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 20, 2003) from the Director, Community Planning, South District, reviewing and making recommendations on a request by Robbie Frame with Montgomery Sisam Architects Inc. on behalf of Greenwood College School for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit a non-illuminated projecting sign for identification purposes, on the west elevation of the building at the above noted location; and recommending that:

- (1) the request for a variance be approved to permit a non-illuminated projecting sign for identification purposes, on the west elevation of the building at 443 Mount Pleasant Road; and
- (2) the applicant be advised that upon approval of a 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. 24, Report No. 7)**

**7.28 Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, to maintain an illuminated awning sign for identification purposes at 1521 Yonge Street 903014, 03-115798 (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (July 14, 2003) from the Director, Community Planning, South District, reviewing and making recommendations on a request by David Brown on behalf of Pizza Pizza Ltd. for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, to maintain an illuminated awning sign for identification purposes on the front elevation of the building at the above noted location; and recommending that:

- (1) the request for variances to maintain an illuminated awning sign for identification purposes at 1521 Yonge Street be approved; 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. 25, Report No. 7)**

**7.29 Request for approval of a variance from the former City of North York Sign By-Law No. 30788, as amended for the erection of a 348 Square feet (32.3m<sup>2</sup>) first party ground sign at 1155 Leslie Street (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 26, 2003) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Dominic Rotundo of the Pattison Sign Group for the approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a first party ground sign at the above noted location; referring to the attachments for details; and recommending that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 26, Report No. 7)**

**7.30 Request for approval of a variance from the former City of North York Sign By-Law No. 30788, as amended, for the erection of an off-premise ground sign on the CN Rail lands on the West of Leslie Street, South of Highway 401 (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 26, 2003) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Tony Romanelli of RCC Media for the approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a 250 ft<sup>2</sup> (23.2m<sup>2</sup>) single-faced illuminated off-premise ground sign at the above noted location; referring to the attachments for details; and recommending that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

Roy Dzeko appeared before the Midtown Community Council on behalf of the applicant.

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

Councillor Minnan-Wong moved that the matter be deferred to the meeting of the North Community Council in January, 2004, which failed on a tie vote.

Councillor Mihevc moved that the application be denied, which failed on a tie vote.

Because the foregoing motions lost on tie votes, the Midtown Community Council submitted the foregoing report to Council without recommendation.

Councillor Mihevc resumed the Chair.

**(Clause No. 27, Report No. 7)**

**7.31 Request for approval of a variance from the former City of North York Sign By-Law No. 30788, as amended for the erection of a 1200 square feet (111 m<sup>2</sup>) illuminated first party wall sign at 1275 Lawrence Avenue East (Don Valley East – Ward 34)**

The Midtown Community Council had before it a report (August 25, 2003) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Mike McKague of Abcon Media on behalf of Natrel Inc. for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a first party illuminated wall sign at the above noted location; referring to the attachments for details; and recommending that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

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

**(Clause No. 28, Report No. 7)**

**7.32 Application for an Outdoor Café at 953 Eglinton Avenue West (St. Paul's – Ward 21)**

The Midtown Community Council had before it a report (August 19, 2003) from the District Manager, West District, Municipal Licensing and Standards, reporting on an application from Alejandra Hernandez on behalf of Mariachi's Restaurant, to lease 23.7 square metres of the municipal boulevard for the purpose of an Outdoor Boulevard Café at 953 Eglinton Avenue West; and recommending that this application to lease 23.7 square metres of the municipal boulevard, located at the front and side of 953 Eglinton Avenue West be approved, subject to the applicant fulfilling the following conditions upon approval:

- (1) enter into an encroachment agreement with the City of Toronto;

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (2) pay the annual fee to the City of Toronto for use of the road allowance in the amount of \$25.00 plus \$5.50 per square metre. All fees are subject to change;
- (3) provide a certificate of insurance evidencing a third party bodily injury and property damaged insurance in the amount of Two Million Dollars (\$2,000,000.00), or such other coverage and greater amount as the City of Toronto may require, naming the City of Toronto as an additional insured party under the policy;
- (4) obtain a construction/streets permit prior to commencement of any construction;
- (5) audio equipment not be installed and music not played outdoors; and
- (6) patio area to be closed between the hours of 11:00 p.m. one day to 7:00 a.m. the next day.

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

- (i) (September 4, 2003) from Shayndelynn Zeldin; and
- (ii) (September 5, 2003) from Shayndelynn Zeldin.

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

On motion by Councillor Mihevc, the Midtown Community Council deferred consideration of the foregoing report and communications to allow the Ward Councillor to hold a community meeting with the residents and the applicant.

Councillor Mihevc resumed the Chair.

(Councillor Mihevc; c. District Manager, West District, Municipal Licensing and Standards; Administrator, South Community Council; Interested Parties – September 12, 2003)

**(Clause No. 76(d), Report No. 7)**

**7.33 Residential Demolition Application- 77 Dunfield Avenue  
(St. Paul's - Ward 22)**

The Midtown Community Council had before it a report (August 18, 2003) from the Deputy Chief Building Official and Director, Building Division, South District, reporting

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

in accordance with the Section 33 of the Planning Act and the former City of Toronto Municipal Code Chapter 146, Article II, Demolition Control, on a demolition application for 77 Dunfield Avenue and recommending that Midtown Community Council recommend to City Council either:

- (1) to refuse the application to demolish the subject residential building because there is no permit for a replacement building on the site; or
- (2) to approve the application to demolish the subject building with the following conditions:
  - a) a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
  - b) all debris and rubble be removed immediately after demolition;
  - c) the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, Paragraph B; and
  - d) any holes on the property are backfilled with clean fill.

On motion by Councillor Walker, the Midtown Community Council recommended to Council that the application to demolish the subject residential building be refused because there is no permit for a replacement building on the site.

**(Clause No. 29, Report No. 7)**

**7.34 Encroachment Report – 37 Brookfield Road, North York  
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (June 24, 2003) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, reporting on a request by Mr. Giorgio Delli Colli Gianniotti, applicant and owner of 37 Brookfield Road, for an existing wooden fence 226 feet in length and 6 feet in height (68.8m x 1.8m) running parallel along Brookfield Road, and an underground sprinkler system, all on City property; and recommending that the encroachment be approved, subject to the following conditions:

- (1) the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

Services;

- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (3) no claims will be made against the City by the owner(s) for damage occurring to the fence;
- (4) 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 Mihevc appointed Councillor Walker Acting Chair and vacated the Chair.

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council adoption of the foregoing report subject to adding the following condition No. (9):

“(9) Siberian Elm trees as shown on the site plan as part of the encroachment agreement. The

maintenance and or removal of which is subject to the approval of the North District Urban Forestry, Planning and Protection, Parks and Recreation Division”.

Councillor Mihevc resumed the Chair.

**(Clause No. 30, Report No. 7)**

**7.35 Encroachment Agreement – 12 Sunnyside Crescent, North York  
(Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (July 30, 2003) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, reporting on an encroachment request by the applicant and agent of the new owner of 12 Sunnyside Crescent, to maintain an existing hedge that is approximately 2 feet 6 inches (0.79 metres) high and 50 feet (15.24 metres) in length, three (3) existing light standards at the end of the driveway and an existing retaining wall running parallel on both sides of the edging of the driveway for a length of 18 ft (5.4 metres) and 6.4 feet (1.93 metres), respectively; all the foregoing existing encroachments are located along the east side of City property; and recommending that the encroachment be approved, subject to the following conditions:

- (1) the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) no claims will be made against the City by the owner(s) for damage occurring to the retaining wall, hedges and light standards during snow removal;
- (4) 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;
- (8) the owner will provide approval clearances from all utilities; and
- (9) the owners pay the following fees:
  - (i) application fees of \$423.07; and
  - (ii) legal administration cost and registration of \$391.70 (includes GST).

The Midtown Community Council also had before it a communication (September 8, 2003) from Raymond I. Smith.

On motion by Councillor Walker, the Midtown Community Council recommended to Council adoption of the foregoing report as amended to provide that a site plan to scale that delineates the encroachments being provided.

**(Clause No. 31, Report No. 7)**

**7.36 Sale of Surplus Vacant Land Located on the North side of Melrose Avenue between Nos. 518 and 522 Melrose Avenue (Eglinton–Lawrence – Ward 16)**

The Midtown Community Council had before it a report (August 19, 2003) from the Commissioner of Corporate Services, authorizing the sale of a parcel of vacant land located on the north side of Melrose Avenue; and recommending that:

- (1) the Offer to Purchase from Sedona Homes Ltd. to purchase the City-owned parcel of vacant land located on the north side of Melrose Avenue, being part of Lot 116, Plan 2370, designated as Part 1 on Reference Plan 64R-5943, in the amount of \$340,000.00 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;

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (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.

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

- Don Taylor, and submitted a written brief; and
- Robert Caplan.

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

- (1) the aforementioned report (August 19, 2003) from the Commissioner of Corporate Services be received; and
- (2) the Commissioner of Corporate Services, in consultation with the Commissioner of Economic Development, Culture and Tourism, be requested to report on the feasibility of retaining the parcel of land for parks purposes.

**(Clause No. 32, Report No. 7)**

**7.37 Sale of Surplus Property Four Commercial Condominium Units at 255 Duncan Mill Road (Don Valley East – Ward 34)**

The Midtown Community Council had before it a report (August 14, 2003) from the Commissioner of Corporate Services, authorizing the sale of four (4) commercial condominium units located at 255 Duncan Mill Road together with their respective parking spaces and appurtenant common interests; and recommending that:

- (1) the Offer to Purchase from Mbarka Inc. to purchase four (4) City-owned commercial condominium units municipally located at 255 Duncan Mill Road and identified as Units 701, 710, 711 and 712 in the amount of \$250,000.00 be

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

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 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 Minnan-Wong, the Midtown Community Council recommended to Council adoption of the foregoing report.

**(Clause No. 33, Report No. 7)**

**7.38 Temporary Installation of Banners - Fronting 2195 Yonge Street – ‘Minto Midtown Development’ (St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (August 22, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on a request for the temporary installation of 20 banners containing first-party advertising for the Yonge Eglinton Development Project at 2195 Yonge Street; and recommending that:

- (1) City Council endorse the installation of 20 banners containing first party advertising that will encroach within the public right of way fronting 2195 Yonge Street, subject to the owner 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 and Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer and Treasurer may require;
  - (b) maintain the banners at his own expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;

- (c) remove the banners upon receiving 30 days written notice to do so; and
  - (d) accept such additional conditions as the City solicitor and the Commissioner of Works and Emergency Services may deem necessary in the interest of the Corporation;
- (2) City Council grant an exemption from the former Metro By-laws Nos. 118 and 211-74, as amended, to permit banners containing first party advertising on the aforementioned lands; and
  - (3) the appropriate City officials be authorized and directed to undertake the steps necessary to give effect to the foregoing.

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

**(Clause No. 34, Report No. 7)**

**7.39 750 Davenport Road (Tollkeeper's Cottage) – Designation under Part IV of the Ontario Heritage Act (St. Paul's - Ward 21)**

The Midtown Community Council had before it a report (July 29, 2003) from the Commissioner, Economic Development, Culture and Tourism, recommending that the property at 750 Davenport Road (Tollkeeper's Cottage) be designated under Part IV of the Ontario Heritage Act; and further recommending that:

- (1) City Council state its intention to designate the property at 750 Davenport Road (Tollkeeper's Cottage) under Part IV of the *Ontario Heritage Act*; and
- (2) 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 (August 19, 2003) from the City Clerk, Toronto Preservation Board, recommending to the Midtown Community Council and City Council, the adoption of the report (July 29, 2003) from the Commissioner of Economic Development, Culture and Tourism.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 35, Report No. 7)**

**7.40 Blythwood Road Heritage Conservation District Designation under Part V of the Ontario Heritage Act (Don Valley West - Ward 25)**

The Midtown Community Council had before it a report (August 11, 2003) from the Commissioner, Economic Development, Culture and Tourism recommending that City Council designate the Blythwood Road area as a Heritage Conservation District under Part V of the Ontario Heritage Act; and further recommending that:

- (1) in accordance with Section 41 of the *Ontario Heritage Act*, Council designate the area shown on Attachment No. 1, save and except those properties which have been designated under Part IV of the *Act*, as the Blythwood Road Heritage Conservation District;
- (2) Council adopt Attachment No. 2, the Blythwood Road Heritage Conservation District Study, as a guide for property owners, City staff, advisory committees and Council when making decisions regarding matters set out under Sections 42 and 43 of the *Ontario Heritage Act*; and
- (3) the appropriate City officials be authorized to take whatever action is necessary to give effect thereto including the introduction of bills in Council and attendance at the Ontario Municipal Board.

The Midtown Community Council also had before it a communication (August 19, 2003) from the City Clerk, Toronto Preservation Board, recommending to the Midtown Community Council and City Council, the adoption of the report (August 11, 2003) from the Commissioner of Economic Development, Culture and Tourism subject to deleting the words "Blythwood Road Heritage Conservation District" and inserting in lieu thereof the words "Blythwood Heritage Conservation District" wherever they appear in the report.

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

- (i) (September 8, 2003) from Carolyn Woodland;

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (ii) (September 6, 2003) from Lois M. Arbuckle;
- (iii) (September 8, 2003) from Kathryn Dean;
- (iv) (September 8, 2003) from Glenda Henniger;
- (v) (September 8, 2003) from Allison McLeod;
- (vi) (September 6, 2003) from Barb Marshall;
- (vii) (September 7, 2003) from Mary Wahbi;
- (viii) (September 8, 2003) from David Willows;
- (ix) (September 8, 2003) from David I. Bristow, ADR Chambers;
- (x) (September 8, 2003) from Mary Stockdale Vernon and Charles Robert Vernon;
- (xi) (September 8, 2003) from John C. Medcof, Urquart, Urquart, Aiken and Medcof;
- (xii) (September 9, 2003) from Geeske Cruickshank;
- (xii) (undated) from Peter N. Henderson;
- (xiv) Communication (September 9, 2003) from Arthur Pope;
- (xv) (September 8, 2003) from Janice Bartsch and Peter Nikitopoulos;
- (xvi) (September 8, 2003) from Iain W. Scott;
- (xvii) (September 9, 2003) from Peter Brooks;
- (xviii) (September 9, 2003) from Peter Kenter;
- (xix) (September 9, 2003) from Jacqueline Tilford;
- (xx) (September 8, 2003) from Anoush Semmikian;
- (xxi) (September 8, 2003) from Nicole Abbat;
- (xxii) (September 8, 2003) from Martin Ciccone;
- (xxiii) (September 5, 2003) from Victoria Bertram Gourissei;

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (xxvi) (September 9, 2003) from Amanda G. Duffy;
- (xxv) (September 8, 2003) from Michael Renaud;
- (xxvi) (September 9, 2003) from Howard Lusthaus; and
- (xxvii) (September 8, 2003) from Peter and Kimberlee Wallace.

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

- Anne Werker;
- James Medcof;
- John Medcof;
- Rosemary Fitzgerald;
- Ed Konzelman, and submitted a written brief;
- Glenda Henniger;
- Allan Austin;
- Eric Melis;
- Peter Kenter;
- Barb Marshall.

On motion by Councillor Johnston the Midtown Community Council:

- (1) recommended to Council adoption of the foregoing report subject to deleting the words “Blythwood Road Heritage Conservation District” and inserting in lieu thereof the words “Blythwood Heritage Conservation District” wherever they appear in the report; and
- (2) requested the Heritage Preservation Co-ordinator, Culture Division, to make himself available to meet with local residents, individually, or collectively, to answer any further questions, prior to the meeting of City Council.

(Commissioner of Economic Development, Culture and Tourism;  
c. Heritage Preservation Co-ordinator, Culture Division; Interested  
Persons – September 12, 2003)

**(Clause No. 36, Report No. 7)**

**7.41 5 Avonwick Gate (Senator Frank O'Connor House, Garage and Outbuilding) – Designation under Part IV of the *Ontario Heritage Act* and Authority to enter into a Heritage Easement Agreement (Don Valley East - Ward 34)**

The Midtown Community Council had before it a report (July 31, 2003) from the Commissioner, Economic Development, Culture and Tourism, recommending that the property at 5 Avonwick Gate (Senator Frank O'Connor House, Garage and Outbuilding) be designated under Part IV of the Ontario Heritage Act, and that Council grant authority to enter into a Heritage Easement Agreement to provide for the permanent protection of the heritage buildings on the site; and further recommending that:

- (1) City Council state its intention to designate the property at 5 Avonwick Gate (Senator Frank O'Connor House, Garage and Outbuilding) under Part IV of the *Ontario Heritage Act*;
- (2) authority be granted by City Council for the execution of a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the owner of 5 Avonwick Gate, using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services; 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 (August 19, 2003) from the City Clerk, Toronto Preservation Board, recommending to the Midtown Community Council and City Council, the adoption of the report (July 31, 2003) from the Commissioner of Economic Development, Culture and Tourism.

Virginia Barton, Senior Co-ordinator, Capital Development, Toronto Catholic District School Board, appeared before the Midtown Community Council in connection with the foregoing matter.

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

**(Clause No. 37, Report No. 7)**

**7.42 Briar Hill Avenue, between Avenue Road and Birdsall Avenue – Request for the Installation of Speed Humps (Eglinton – Lawrence – Ward 16)**

The Midtown Community Council had before it a report (July 25, 2003) from Director, Transportation Services, District 1, responding to a request from Councillor Anne Johnston to report on the feasibility of installing speed humps on Briar Hill Avenue, between Avenue Road and Birdsall Avenue, to reduce the speed of traffic and enhance the operational safety on the roadway; and recommending that:

- (1)
  - (a) appropriate staff be authorized to conduct a poll of eligible residents of Briar Hill Avenue, between Avenue Road and Birdsall Avenue to determine resident support for the proposed speed hump plan, in accordance with the City of Toronto traffic calming policy; and
  - (b) public notice be given pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Medical Services and Toronto Police Service;
- (2) subject to favourable results of the poll:
  - (a) a by-law be prepared for the alteration of sections of the roadway on Briar Hill Avenue, between Avenue Road and Birdsall Avenue, for traffic calming purposes generally as shown on the attached print of Drawing No. 421F-7045, dated July 2003, which is to be circulated to residents through the polling process;
  - (b) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
  - (c) the speed limit be reduced from forty kilometres per hour to thirty kilometres per hour on Briar Hill Avenue, between Avenue Road and Birdsall Avenue, coincident with the implementation of speed humps; and
- (3) 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 Johnston, the Midtown Community Council recommended to Council adoption of the foregoing report.

**(Clause No. 38, Report No. 7)**

**7.43 Alcina Avenue, between Bathurst Street and Wychwood Avenue – Request for Speed Humps (St. Paul’s – Ward 21)**

The Midtown Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 1, reporting on the results of an investigation to install traffic calming (speed humps) on Alcina Avenue, between Bathurst Street and Wychwood Avenue; and recommending that this report be received for information.

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

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

- (1) the appropriate staff be authorized to conduct a poll of residents on Alcina Avenue, between Bathurst Street and Wychwood Avenue, to determine support for the proposed traffic calming plan;
- (2) subject to favourable results of the poll:
  - (a) a draft by-law be prepared for the alteration of the section of roadway on Alcina Avenue, between Bathurst Street and Wychwood Avenue, for traffic calming purposes as described below:

“The construction of speed humps on ALCINA AVENUE, between Bathurst Street and Wychwood Avenue, generally as shown on the attached print of Drawing No. 421F-7052, dated August 2003”;
  - (b) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
  - (c) the speed limit on Alcina Avenue, between Bathurst Street and Wychwood Avenue, be reduced

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

from 40 kilometres per hour to 30 kilometres per hour; and

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

Councillor Mihevc resumed the Chair.

**(Clause No. 39, Report No. 7)**

**7.44 Arlington Avenue, between St. Clair Avenue West and Humewood Gardens – Request for Speed Humps (St. Paul’s – Ward 21)**

The Midtown Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 1, reporting on the results of an investigation to install traffic calming (speed humps) on Arlington Avenue, between St. Clair Avenue West and Humewood Gardens; and recommending that this report be received for information.

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

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

- (1) the appropriate staff be authorized to conduct a poll of residents on Arlington Avenue, between St. Clair Avenue West and Humewood Gardens, to determine support for the proposed traffic calming plan;
- (2) subject to favourable results of the poll:
  - (a) a draft by-law be prepared for the alteration of the section of roadway on Arlington Avenue, between St. Clair Avenue West and Humewood Gardens, for traffic calming purposes as described below:

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

“The construction of speed humps on ARLINGTON AVENUE, between St. Clair Avenue West and Humewood Gardens, generally as shown on the attached print of Drawing No. 421F-7085, dated August 2003”;

- (c) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
  - (d) the speed limit on Arlington Avenue, between St. Clair Avenue West and Humewood Gardens, be reduced from 40 kilometres per hour to 30 kilometres per hour; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that might be required.

Councillor Mihevc resumed the Chair.

**(Clause No. 40, Report No. 7)**

**7.45 Proposed Installation of Speed Bumps in North-South Public Lane North of St. Clair Avenue West, between Raglan Avenue and Bathurst Street (St. Paul’s – Ward 21)**

The Midtown Community Council had before it a report (August 27, 2003) from the Director, Transportation Services, District 1, reporting on the proposed installation of speed bumps in a public lane; and recommending that:

- (1) the installation of speed bumps in the north-south public lane north of St. Clair Avenue West, between Raglan Avenue and Bathurst Street, of the type and design noted and at the locations shown on Drawing Nos. 421F-7046 and 421F-7047 dated July 2003, be approved; and
- (2) the appropriate City Officials be authorized to take any action necessary to give

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

effect to the foregoing, including the introduction in Council of any Bills that may be required.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 41, Report No. 7)**

**7.46 Request for Speed Humps on Bessborough Drive, between Moore Avenue and Sutherland Drive (Don Valley West – Ward 26)**

The Midtown Community Council had before it a report (August 13, 2003) from the Director, Transportation Services, District 1, responding to a request from Councillor Jane Pitfield for the installation of speed humps on Bessborough Drive, between Moore Avenue and Sutherland Drive; and recommending that this report be received for information.

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

- (1) appropriate staff be authorized to conduct a poll of eligible residents of Bessborough Drive, between Moore Avenue and Sutherland Drive, to determine resident support for the speed hump plan, in accordance with the City of Toronto Traffic Calming Policy and public notice be given, pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Medical Services and Toronto Police Services;

- (2) subject to favourable results of the poll:
  - (i) a by-law be prepared for the alteration of sections of the roadway on Bessborough Drive, between Moore Avenue and Sutherland Drive, for traffic calming purposes, as shown on the attached prints of Drawing Nos. 451F-7096 and circulated to residents through the polling process;
  - (ii) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
  - (iii) the speed limit be reduced from forty kilometres per hour to thirty kilometres per hour on Bessborough Drive, between Moore Avenue and Sutherland Drive, coincident with the implementation of speed humps; and
- (3) 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.

**(Clause No. 42, Report No. 7)**

**7.47 Gilgorm Road, east side, between Premises Nos. 5 and 19 – Implementation of a “No Parking” regulation (Eglinton-Lawrence – Ward 16)**

The Midtown Community Council had before it a report (August 19, 2003) from the Director, Transportation Services, District 1, reporting on a request from Councillor Anne Johnston to address residents' concerns regarding vehicles illegally parking and blocking residents' driveways, by clearly identifying a prohibited parking area; and recommending that:

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (1) the existing one-hour maximum parking regulation in effect from 8:00 a.m. to 7:00 p.m., Monday to Friday, on the east side of Gilgorm Road, between Eglinton Avenue West and New Haven Drive, be adjusted to operate from Eglinton Avenue West to a point 60 metres further north and from a point 119 metres north of Eglinton Avenue West to New Haven Drive;
- (2) parking be prohibited at anytime, on the east side of Gilgorm Road, from a point 60 metres north of Eglinton Avenue West to a point 59 metres further north; and
- (3) the appropriate City Officials be authorized and directed to take whatever action is necessary to give effect thereto, 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. 43, Report No. 7)**

**7.48 Roselawn Avenue, south side, between Yonge Street and Duplex Avenue – Implementation of a “No Standing Anytime” prohibition (Eglinton - Lawrence – Ward 16)**

The Midtown Community Council had before it a report (July 23, 2003) from the Director, Transportation Services, District 1, with respect to enhancing operational safety on Roselawn Avenue and to improve conditions for trucks servicing businesses fronting Yonge Street by creating a "No Standing at Anytime" zone; and recommending that:

- (1) the existing parking regulations in effect on the south side of Roselawn Avenue, from a point 45 metres west of Yonge Street to a point 23 metres further west, be rescinded;
- (2) standing be prohibited at anytime, on the south side of Roselawn Avenue, from a point 45 metres west of Yonge Street to a point 23 metres further west thereof; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to give effect thereto, 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. 44, Report No. 7)**

**7.49 Proposed closing to vehicular traffic, except for emergency vehicles, a portion of the public lane extending south-easterly from Walmer Road, at the rear of Premises No. 330 Spadina Road (St. Paul's – Ward 21)**

The Midtown Community Council had before it a report (August 22, 2003) from the Director, Transportation Services, District 1, recommending the proposed closing of a portion of the public lane extending south-easterly from Walmer Road to vehicular traffic, except for emergency vehicles, in order to comply with OMB Decision/Order Nos. 1945 and 1221; and further recommending that:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and upon compliance by 1160963 Ontario Inc. (the "Applicant") with the terms and conditions outlined in this report, the 0.55 metre wide strip of land within the public lane, shown as PART 1 on the attached Sketch No. PS-2003-015, (the "Lane"), be stopped-up and closed to vehicular traffic, except for emergency vehicles, and a gate be installed to enforce the due observance thereof;
- (2) notice be given to the public of the proposed by-law to stop up and close the Lane, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and, in addition, by publishing one notice in a local community newspaper;
- (3) the Midtown Community Council hear any member of the public who wishes to speak to this matter;
- (4) the Encroachment Agreement fee of \$423.07 for the swing of the gates be waived; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any bills necessary to give effect thereto.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 45, Report No. 7)**

**7.50 Pinewood Avenue, between Maplewood Avenue and Vaughan Road – Transfer of the winter parking prohibition from the east side of the street to the west side (St. Paul’s – Ward 21)**

The Midtown Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 1, amending the existing parking regulations in order to transfer the winter parking prohibition from the east side to the west side of Pinewood Avenue, between Maplewood Avenue and Vaughan Road, during the winter months (December 1 to April 1) in order to maximize the number of available on-street parking spaces; and recommending that:

- (1) the City Clerk undertake a poll of the residents on Pinewood Avenue, between Maplewood Avenue and Vaughan Road, to determine the support for transferring the winter parking prohibition from the east side of the street to the west side (No parking from 7:00 p.m. December 1<sup>st</sup> to 7:00 p.m. April 1<sup>st</sup> of the next following year);
- (2) subject to favourable results of the poll:
  - (a) Uniform Traffic By-law Nos. 196-84, and 2958-94, be amended to transfer the existing “No parking from 7:00 p.m. December 1<sup>st</sup> to 7:00 p.m. April 1<sup>st</sup> of the next following year” from the east side of Pinewood Avenue, to the west side, between Maplewood Avenue and Vaughan Road;
  - (b) Permit Parking By-law No. 3491-80 be amended to allow parking on the east side of Pinewood Avenue, between Maplewood Avenue and Vaughan Road, from 12:00 midnight to 6:00 a.m., from the 2<sup>nd</sup> day of December to the 1<sup>st</sup> day of April of the next following year; and
- (3) 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.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 46, Report No. 7)**

**7.51 No. 111 Manor Road East – Request for a 10-minute Pick-up/Drop-off Zone  
(St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (August 25, 2003) from the Director Transportation Services, District 1, responding to a request to provide short-term parking opportunities for parents/guardians of children attending the Manor Road Cooperative Nursery School, located within the Anglican Church of Transfiguration, at No. 111 Manor Road East; and recommending that:

- (1) the permit parking system in operation from 12:01 a.m. to 10:00 a.m., daily, on the south side of Manor Road East, between the east branch of Servington Crescent and a point 47 metres west thereof, be rescinded;
- (2) parking be permitted for a maximum period of ten minutes on the south side of Manor Road East, from a point 9 metres west of the east branch of Servington Crescent to a point 38 metres further west thereof, from 8:00 a.m. to 9:00 a.m., Monday to Friday; and
- (3) 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 Walker, the Midtown Community Council recommended to Council adoption of the foregoing report.

**(Clause No. 47, Report No. 7)**

**7.52 Poplar Plains Road, west side, immediately north and south of Russell Hill Road –  
Proposed creation of on-street parking spaces (St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (August 25, 2003) from the Director Transportation Services, District 1, providing on-street parking spaces on Poplar Plains Road, in the vicinity of Russell Hill Road; and recommending that:

- (1) the existing “No Parking Anytime” regulation, in effect on the west side of Poplar Plains Road, from MacPherson Avenue to a point 30 metres north of Russell Hill Road, be adjusted to operate from MacPherson Avenue to a point

43 metres south of Russell Hill Road; and

- (2) 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. 48, Report No. 7)**

**7.53 Dunloe Road, from Hawarden Crescent to Archer Road – Proposed amendments to traffic regulations (St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (August 26, 2003) from the Director, Transportation Services, District 1, with regard to reducing the entry restriction times to Dunloe Road from Hawarden Crescent, and to allow three-hour parking on the east side of Dunloe Road, from Hawarden Crescent to Archer Road, from July 1 to August 31; and recommending that:

- (1) the existing northbound, eastbound and westbound entry prohibitions on Dunloe Road at Hawarden Crescent, in effect from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 6:00 p.m., Monday to Friday, be rescinded;
- (2) eastbound left-turns from Hawarden Crescent to Dunloe Road be prohibited from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday;
- (3) westbound right-turns from Hawarden Crescent to Dunloe Road be prohibited from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday;
- (4) northbound through movements be prohibited from Dunloe Road, south of Hawarden Crescent, to Dunloe Road, north of Hawarden Crescent, from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday;
- (5) the “No Stopping” prohibition currently in effect on the east side of Dunloe Road, from Hawarden Crescent to a point 127.5 metres further north, in effect from 8:00 a.m. to 9:15 a.m., 11:30 a.m. to 1:15 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday, be adjusted to be in effect from September 1 to June 30 of the next following year;

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (6) the one-hour maximum parking regulation in effect on the east side of Dunloe Road, from Hawarden Crescent to a point 127.5 metres north, in effect from 9:15 a.m. to 11:30 a.m., and from 1:15 p.m. to 3:00 p.m., Monday to Friday, be adjusted to be in effect from September 1 to June 30 of the next following year;
- (7) the one-hour maximum parking regulation in effect on the east side of Dunloe Road, from a point 127.5 metres north of Hawarden Crescent to a point opposite Archer Road, in effect from 8:00 a.m. to 6:00 p.m., Monday to Friday, be adjusted to be in effect from September 1 to June 30 of the next following year; and
- (8) 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 implemented.

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

**(Clause No. 49, Report No. 7)**

**7.54 Bruce Park Avenue and Roehampton Avenue – Request for the installation of an All-way “Stop” sign control (St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (August 12, 2003) from the Director, Transportation Services, District 1, responding to a request from Councillor Michael Walker to report on the feasibility of installing an All-way "Stop" sign control at the subject intersection; and recommending that:

- (1) “Stop” sign controls be installed for eastbound and westbound traffic on Roehampton Avenue at its intersection with Bruce Park Avenue; 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 Walker, the Midtown Community Council recommended to Council adoption of the foregoing report.

**(Clause No. 50, Report No. 7)**

**7.55 Belsize Drive, north side, from the first laneway west of Bayview Avenue to Gresham Road – Changes to Parking Regulations (St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (August 19, 2003) from the Director, Transportation Services, District 1, with regard to reducing traffic congestion and improve operational safety on Belsize Drive, from the first laneway west of Bayview Avenue to Gresham Road; and recommending that:

- (1) the existing “No Parking Anytime” regulation, on the north side of Belsize Drive, operating from December 1 of one year to March 31 of the next following year, inclusive, from a point 43 metres west of Bayview Avenue to a point 13 metres further west, be rescinded;
- (2) the existing one-hour maximum parking limit on the north side of Belsize Drive operating anytime from April 1 of one year to November 30 of the next following year, inclusive, from a point 43 metres west of Bayview Avenue to a point 13 metres further west, be rescinded;
- (3) the existing “No Parking Anytime” regulation on the north side of Belsize Drive, from Gresham Road to a point 56 metres west of Bayview Avenue, be adjusted to be in effect from Gresham Road, to a point 43 metres west of Bayview Avenue; and
- (4) 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. 51, Report No. 7)**

**7.56 Coulson Avenue, between Premises Nos. 39 and 47 – Implementation of a “No Parking” regulation (St. Paul’s – Ward 22)**

The Midtown Community Council had before it a report (July 23, 2003) from the Director, Transportation Services, District 1, reporting on a request from Councillor Michael Walker to address residents' concerns regarding vehicles illegally parking and blocking residents' driveways, by clearly identifying a prohibited parking area; and recommending that:

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (1) the existing one hour maximum parking regulation in effect from 8:00 a.m. to 6:00 p.m., daily, on the south side of Coulson Avenue, from Spadina Road to Russell Hill Road, be adjusted to operate from Spadina Road to a point 34.5 metres further east and from a point 63.0 metres east of Spadina Road to Russell Hill Road;
- (2) parking be prohibited at anytime, on the south side of Coulson Avenue, from a point 34.5 metres east of Spadina Road to a point 28.5 metres further east; and
- (3) the appropriate City Officials be authorized and directed to take whatever action is necessary to give effect thereto, 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. 52, Report No. 7)**

**7.57 Introduction of Permit Parking on the South Side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue (St. Paul's – Ward 22)**

The Midtown Community Council had before it a report (August 21, 2003) from the Manager, Right of Way Management, Transportation Services, District 1, reporting on the introduction of permit parking on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 8:00 a.m., 7 days a week; and recommending that:

- (1) permit parking be introduced on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 8:00 a.m., Monday to Friday;
- (2) the newly created Part AK of Schedule XXVI (Permit Parking), of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be introduced to incorporate the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, to operate between 12:01 a.m. to 8:00 a.m., Monday to Friday;
- (3) parking be allowed for a maximum period of 1 hour on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, from 6:00 p.m. to midnight, daily; and

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

On motion by Councillor Walker, the Midtown Community Council recommended to Council adoption of the foregoing report subject to amending Recommendation No. (3) by deleting the word “daily” and inserting the words “from Monday to Friday”, so that such Recommendation shall now read:

“(3) parking be allowed for a maximum period of 1 hour on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, from 6:00 p.m. to midnight, Monday to Friday”

**(Clause No. 53, Report No. 7)**

**7.58 Stopping/Standing Prohibitions: Old York Mills Road  
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 20, 2003) from the Director, Transportation Services, District 3, amending the existing parking regulations on Old York Mills 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 Anytime prohibition on both sides of Old York Mills Road, from the easterly limit of Yonge Street to the southerly limit of York Mills Road;
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the north side of Old York Mills Road, from the southerly limit of York Mills Road to the easterly limit of Yonge Street;
- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the south side of Old York Mills Road, from the southerly limit of York Mills Road to a point 136 metres westerly thereof; and
- (4) Schedule XI of By-law No. 31001, of the former City of North York, be amended to prohibit standing at anytime on the south side of Old York Mills Road, adjacent to the curb from the easterly limit of Yonge Street to a point 95 metres easterly thereof.

Trish Pulito was present during discussion of this matter.

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

**Clause No. 54, Report No. 7)**

**7.59 Parking Prohibitions: Seneca Street (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (July 15, 2003) from the Director, Transportation Services, District 3, amending the existing parking regulations on Seneca Street, from Gordon Road to Owen Boulevard; and recommending that Schedule X of By-law No. 31001, of the former City of North York, be amended by deleting the 60 Minute Permitted Parking restriction on the east side of Seneca Street, from the northerly limit of Gordon Road to the southerly limit of Owen Boulevard.

Kathy Gaziuk was present during discussion of this matter.

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

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

**(Clause No. 55, Report No. 7)**

**7.60 Introduction of Permit Parking on the North Side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 26, 2003) from the Manager, Right of Way Management, Transportation Services District 1, reporting on the introduction of permit parking on the north side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 10:00 a.m., 7 days a week; and recommending that:

- (1) permit parking be introduced on the north side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 10:00 a.m., 7 days a week;
- (2) Part P of Schedule XXVI (Permit Parking), of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be introduced

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

to incorporate the north side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue;

- (3) the one hour parking prohibition on the north side of Broadway Avenue, between Mount Pleasant Road and 228 Broadway Avenue, be amended from the current hours of 8:00 a.m. to 6:00 p.m., daily, to 10:00 a.m. to 6:00 p.m., daily; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.

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

**(Clause No. 56, Report No. 7)**

**7.61 Grandstand Place in front of Premises No. 2 Grandstand Place - Amendments to Parking Regulations (Don Valley West – Ward 26)**

The Midtown Community Council had before it a report (August 13, 2003) from the Director, Transportation Services, District 1, recommending the implementation of parking regulations to facilitate loading and unloading activities in front of Premises No. 2 Grandstand Place; and further recommending that:

- (1) a “No Standing” parking regulation be enacted on the north side of Grandstand Place, between a point 62 metres east of Thorncliffe Park Drive and a point 11 metres east thereof; 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. 57, Report No. 7)**

**7.62 Thursfield Crescent, between Brentcliffe Road and a point 175 metres east thereof - Amendments to Parking Regulations (Don Valley West – Ward 26)**

The Midtown Community Council had before it a report (August 13, 2003) from the Director, Transportation Services, District 1, recommending parking regulation amendments to rescind the regulation which prohibits parking from 9:00 a.m. to 1:00 p.m., Monday to Friday, excluding public holidays on both sides of Thursfield Crescent, between Brentcliffe Road and a point 175 metres east thereof, in order to allow three-hour parking, subject to the favourable results of polling of the affected residents; and further recommending that:

- (1) the existing “No Parking, 9:00 a.m. to 1:00 p.m., Monday to Friday, excluding public holidays” parking regulation on both sides of Thursfield Crescent, between Brentcliffe Road and a point 175 metres east thereof, be rescinded, subject to the favourable results of polling of the affected residents; 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. 58, Report No. 7)**

**7.63 Installation/removal of on-street parking spaces for persons with disabilities (Eglinton –Lawrence, Ward 16 and Don Valley West, Ward 26)**

The Midtown Community Council had before it a report (August 25, 2003) from the Director, Transportation Services, District 1, reporting on requests for the installation/removal of a number of on-street disabled persons' parking spaces; and recommending that:

- (1) the installation/removal of on-street disabled parking spaces 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 Pitfield and Councillor Johnston, the Midtown Community recommended to Council adoption of the foregoing report.

**(Clause No. 59, Report No. 7)**

**7.64 Parking Prohibitions: Ness Drive (Don Valley East – Ward 34)**

The Midtown Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 3, amending the existing parking prohibitions on Ness Drive, adjacent to St. Madeline E.S.S./St. Isaac Jogues School; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the west side of Ness Drive, between the hours of 8:00 a.m. and 5:00 p.m., Monday to Friday, from the northerly limit of York Mills Road to the southerly limit of Lynedock Crescent.

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

**(Clause No. 60, Report No. 7)**

**7.65 Preliminary Report – Application to amend Zoning By-law – English Lanes Home Inc. 39 Green Belt Drive, TD ZBL 2003 004 (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (July 28, 2003) from the Acting Director, Community Planning, North District, providing preliminary information on an application to amend the Zoning By-law 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 Minnan-Wong, the Midtown Community Council adopted the

foregoing report and referred same to Planning and Clerk's staff for action.

(Acting Director, Community Planning, North District; City Clerk, Toronto North Community Council; Interested Persons – September 12, 2003)

**(Clause No. 76(e), Report No. 7)**

**7.66 Final Report – Application for Part Lot Control Exemption, Georgian Bond Avenue Inc. (Hunt Design Associates Inc.), Preakness Drive (formerly 20 Bond Avenue) Blocks 1-10 Inclusive, Plan 66M-2404 TD PLC 2003 0001 (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (August 18, 2003) from the Acting Director, Community Planning, North District, requesting exemption from part lot control in order that 20 semi-detached dwelling units may be conveyed into separate ownership; 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 No. (1);
- (3) staff obtain proof of payment of all current property taxes for the subject site from the owner prior to the enactment of the Part Lot Control Exemption By-law;
- (4) the by-law shall expire 18 months from the date of enactment; and
- (5) the appropriate City Officials be authorized and directed to register the By-law on title.

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

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

Councillor Mihevc appointed Councillor Walker Acting Chair.

**(Clause No. 61, Report No. 7)**

**7.67 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, 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) 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.

The Midtown Community Council also had before it the following:

- (i) communication (June 11, 2003) from the City Clerk, advising that the Midtown Community Council, at its meeting on June 10, 2003, referred the aforementioned report (May 23, 2003) back to the Acting Director, Community Planning, North District, with a request that he address the issue of the need for an additional lot,

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

paying particular attention to the easement that runs through the subject property and report back to the Midtown Community Council; and

- (ii) report (August 21, 2003) from the Acting Director, Community Planning, North District, reporting on a request to amend the existing Subdivision Agreement for Lot 7 (9 Legacy Court); and recommending that City Council receive this report as information.

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

- (a) (September 3, 2003) from Les and Reeva Solomon;
- (b) (September 4, 2003) from Constance and Alex Wan;
- (c) (September 8, 2003) from Ellen Auster;
- (d) (September 8, 2003) from Steve Weiss;
- (e) (July 14, 2003) from William S. Hollo; and
- (f) (September 8, 2003) from William S. Hollo.

The following persons appeared before the Midtown Community Council with respect to the foregoing matter:

- William S. Hollo, on behalf of the applicant;
- Michael Mannett, Michael S. Mannet Planning Services Limited, and submitted a written brief.

On motion by Councillor Walker, the Midtown Community Council recommended to Council adoption of the foregoing report (May 23, 2003) from the Acting Director, Community Planning, North District.

**(Clause No. 62, Report No. 7)**

**7.68 Final Report - Request to Amend the Official Plan and Zoning By-law 438-86 – 912, 930 and 940 Mount Pleasant Road Plazacorp Investments Ltd. (Quadrangle Architects Ltd.) 102032, TD CMB 2002 0012 (Don Valley West – Ward 25)**

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

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

The Midtown Community Council had before it a report (August 22, 2003) from the Director, Community Planning, South District reviewing and recommending approval of an application to amend the Official Plan and the Zoning By-law to permit the construction of a residential development comprised of 4storey stacked townhouses, a 6 to 7-storey apartment component fronting onto Mount Pleasant Road and a 19-storey apartment component at the rear of the site; all parts of the development are connected below grade by a c common parking garage; the site is located on the west side of Mount Pleasant Road north of Broadway Avenue; and recommending that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7 on the condition that the applicant submit a letter to the City Solicitor, prior to the introduction of bills in Council, undertaking to withdraw the applicant's appeal of the new Official Plan of the City of Toronto as it pertains to 912, 930 and 940 Mount Pleasant Road once the site specific Zoning By-law and Official Plan Amendment have come into force and effect;
- (2) amend Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (4) authorize the City Solicitor to prepare a Section 37 agreement to secure the off-site improvements identified in this report prior to introducing the necessary Bills to City Council;
- (5) require that prior to the introduction of Bills in Council the Section 37 Agreement be entered into by the owner and secured in a manner satisfactory to the City Solicitor;
- (6) require that the owner, in accordance with the terms of the Section 37 Agreement, pay \$300,000.00 to the City of Toronto in a form satisfactory to the Chief Financial Officer and Treasurer;
- (7) require the applicant to enter into a Statement of Approval/Undertaking under Section 41 of the Planning Act before introducing the necessary Bills to City Council;
- (8) require that the owner submit to the Commissioner of Works and Emergency Services approved plans of the development, with sufficient horizontal and vertical dimensions of the exterior walls of the proposed building for the purpose

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

of preparing building envelope plans for site specific exemption by-laws. Such plans should be submitted at least 3 weeks prior to the introduction of Bills in Council;

- (9) require the applicant submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the issuance of a building permit, a site servicing review to determine the storm water 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;
- (10) require that the applicant submit prior to the introduction of Bills in Council, revised drawings showing fire access routes in accordance with the requirements of the Ontario Building Code;
- (11) require that the owner submit to the Commissioner of Works and Emergency Services, if registered agreements are required, a Reference Plan of Survey in metric units and reference to the Ontario Co-ordinate System, delineating thereon by separate PARTS the land under application and any appurtenant rights-of-way; and
- (12) require that the owner pay for any improvements to the municipal infrastructure in connection with Recommendation No. (9) above, should it be determined that upgrades are required to support this development, according to the site servicing review accepted by the Commissioner of Works and Emergency Services.

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

- (a) (August 24, 2003) from M.J. Somers;
- (b) (September 1, 2003) from Antonina Demechok; and
- (c) (September 2, 2003) from John R. Joiner.

Tim Burkholder, Planner, gave a brief presentation.

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

- Cynthia MacDougall, McCarthy Tetrault, on behalf of the applicant;
- Sabrina Burke;
- Robert Watlery; and
- Patrick Egan.

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

**(Clause No. 63, Report No. 7)**

**7.69 Final Report – Application to Amend the Official Plan and for Draft Plan of Condominium 22 Shallmar Inc. – 22 Shallmar Boulevard, 102033, TD OPA 2002 0002, and 402029, TC CDC 2002 002 (St. Paul’s – Ward 21)**

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

The Midtown Community Council had before it a report (August 13, 2003) from the Director, Community Planning, South District, reviewing and recommending approval of an application to amend the Official Plan to permit the conversion of an equity co-operative apartment building at 22 Shallmar Boulevard to condominium, and recommends approval of a Draft Plan of Condominium for the property, subject to conditions; and recommending that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 3;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required;
- (3) authorize Draft Approval of the Plan of Condominium for 22 Shallmar Boulevard, stamp dated as received on October 28, 2002; and
- (4) require the owner to meet the following conditions of Draft Approval of the Plan of Condominium prior to the City’s consent for final registration and authorize the City Solicitor to prepare any necessary condominium agreements for the conditions, as the City Solicitor deems necessary:
  - (a) the owner shall provide a tax certificate which confirms that all municipal taxes have been paid; and
  - (b) the owner shall register the condominium within 3 years after the date that Council approves this Draft Plan of Condominium, otherwise the approval shall lapse and be of no further force and effect.

No one appeared before the Midtown Community Council in connection with the foregoing matter.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 64, Report No. 7)**

**7.70 Final Report - Application to amend the North York Official Plan and Zoning By-law - Oriole York Mills United Church & Ewart Angus Homes Inc. (Montgomery Sisam Architects Inc.) 2609 Bayview Avenue File No. TD CMB 2003 0002 (Don Valley West – Ward 25)**

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

The Midtown Community Council had before it a report (August 19, 2003) from the Acting Director, Community Planning, North District reviewing and recommending approval of an application to amend the Official Plan and Zoning By-law to permit a 2 storey 24 dwelling room residential care facility for persons with Alzheimer disease; and recommending that City Council:

- (1) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5;
- (2) amend Zoning By-law No. 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and
- (4) before introducing the necessary Bills to City Council for enactment, the owner is required to obtain Site Plan approval under Section 41 of the Planning Act.

The Midtown Community Council also had before it a report (September 5, 2003) from the Acting Director, Community Planning, North District, providing information on the results of a further parking study undertaken on the site; and recommending that Council:

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (1) authorize staff to include the parking control measures set out in Section 6.8 of the memorandum from Works and Emergency Services dated September 4, 2003, as part of the site plan agreement; and
- (2) amend the draft zoning by-law (Attachment No. 6) in the staff report dated August 19, 2003 to prohibit any new accessory uses for the place of worship which have a parking requirement of more than 63 parking spaces.

The Midtown Community Council had before it the following communications:

- (i) (September 4, 2003) addressed to the Acting Director, Community Planning, North District, from the Manager, Development Engineering, District 3, Works and Emergency Services, providing comments on the application;
- (ii) (September 3, 2003) from Noel and Beulah Esakov; and
- (iii) (September 4, 2003) from Phyllis Naken, forwarding a petition signed by approximately 178 residents in opposition to the application.

Nimrod Salamon, Planner, gave a brief presentation.

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

- Heli Joula, Alzheimer Society;
- Nancy Mills, Solicitor, Mills and Mills, on behalf of the applicant;
- Gerry Cooper, Chair, Development Committee, Oriole York Mills United Church;
- Howard Alpert;
- Kamy Zarbafi; and
- Ronald Morgenthal, and submitted a written brief.

(The motion by Councillor Walker to adopt the staff reports was carried on the following division of votes:

For: Councillors Mihevc, Johnston, Walker, Minnan-Wong;

Against: 0)

On motion by Councillor Walker, the Midtown Community Council unanimously recommended to Council adoption of the foregoing reports (August 19, 2003) and (September 5, 2003) from the Acting Director, Community Planning, North District.

**(Clause No. 65, Report No. 7)**

**7.71 Final Report – Application to amend the Zoning By-law 7625, 73 Jonesville Crescent, George and Melina Tenacs (Axiis Architect Design Inc.), TB ZBL 2002 0007 (Don Valley East – Ward 34)**

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

The Midtown Community Council had before it a report (August 21, 2003) from the Acting Director, Community Planning, North District, reviewing and recommending approval of an application to amend the Zoning By-law to permit a 3-storey townhouse building with eleven residential units at 73 Jonesville Crescent; and recommending that City Council:

- (1) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment as attached as Attachment No.5;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required; and
- (3) before introducing the necessary Bills to Council for enactment, require the applicant to:
  - (i) obtain site plan approval for this application from the Acting Director, Community Planning, North district;
  - (ii) convey to the City, a 6.1m corner rounding at Tisdale Avenue and Jonesville Crescent;
  - (iii) deposit financial security for the necessary infrastructure works and an engineering review fee as required by Works and Emergency Services, Technical Services Division; and
  - (iv) provide details of the common elements condominium agreement which address the responsibility of the maintenance and repair of those parts of the cantilevered terraces not directly associated with each unit (i.e. support pillars, underside of terrace).

Ellen Standret, Planner, gave a brief presentation.

Franco D. Romano, Action Planning Consultants, on behalf of the applicant, appeared before the Midtown Community Council in connection with the foregoing matter.

Councillor Minnan-Wong, Ward 34, advised he would consult with the applicant to discuss outstanding issues, prior to the meeting of City Council on September 22, 2003.

Accordingly, the Midtown Community Council submitted the foregoing report to Council without recommendation.

**(Clause No. 66, Report No. 7)**

**7.72 Final Report (OMB Direction)**

**Application to amend the Official Plan and Zoning By-law 7625 1200 – 1202 York Mills Road, Sterling Silver Development Corporation, Northgrave Architect Inc. Architect TD CMB 2001 0006 (Don Valley East – Ward 34)**

The Midtown Community Council had before it a report (August 21, 2003) from the Acting Director, Community Planning, North District, reviewing and recommending the approval of an application which has been appealed to the Ontario Municipal Board to amend the Official Plan and zoning by-law to permit two 16 storey rental apartment buildings with 247 units at 1200 – 1202 York Mills Road; and recommending that City Council:

- (1) direct the City Solicitor to seek approval for the Official Plan Amendment for this site at the Ontario Municipal Board Hearing commencing on October 20, 2003 substantially in accordance with the draft Official Plan amendment attached to this report as Attachment No. 6;
- (2) direct the City Solicitor to seek approval for the Zoning By-law amendment for this site at the above noted Ontario Municipal Board Hearing substantially in accordance with the draft Zoning By-law Amendment attached to this report as Attachment No. 7;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft zoning by-law amendment as may be required;
- (4) request the Board hold its Order until such time as the Owner and the City have entered into and registered on title to the property, an agreement satisfactory to the Commissioner of Urban Development Services and the City Solicitor pursuant to Section 37 of the Planning Act, to secure the following services and matters:

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (a) to construct, provide and maintain on the lands one additional purpose built rental apartment house dwelling containing 247 units, for a minimum fifteen (15) year period, commencing from the date of first occupancy of the new building;
- (b) to ensure that for a ten (10) year period, the two existing rental apartment house dwellings will be preserved and maintained as rental housing stock commencing from the date the Zoning By-law is in full force and effect;
- (c) that no application for condominium conversion or for demolition to construct anything other than rental housing units will be made in respect of the additional purpose built rental apartment house dwelling and the two rental apartment house dwellings currently located on the site contained in the time periods contained in (a) and (b) above;
- (d) that the initial rental rates upon first rental shall not exceed 1.5 times the CMHC average City of Toronto rents;
- (e) for the initial five (5) years, upon turnover, the rent charged to the new tenant shall not exceed 1.5 times the CMHC average City of Toronto rents;
- (f) during the initial five (5) year period, and until the date that any tenants who took occupancy prior to the end of the initial period move out, rent increases shall be limited to (1) the provincial guideline and (2) if applicable, an increase that exceeds the guideline due to necessary costs or an extraordinary increase in capital or operational costs subject to the process for calculating the increase and tenant participation set out in the Section 37 Agreement. These rules for increases shall not apply in the event that rents are otherwise controlled by the Provincial Government;
- (g) that 232 m<sup>2</sup> of indoor amenity space in a free standing structure comprised of an all purpose meeting room, kitchen and washroom facilities and an outdoor BBQ and 262m<sup>2</sup> of indoor amenity space in the proposed building comprised of an all purpose meeting room, kitchen and washroom facilities and both amenity spaces will be provided at no charge to tenants;
- (h) that the indoor amenity space in a free standing structure be constructed prior to the issuance of a building permit for the new apartment building;
- (i) that the costs of providing indoor amenity space and on-site landscaping not be passed on to the existing tenants of 1200 or 1202 York Mills Road;

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (j) that the tenants of the two existing rental apartment buildings will have access to the recreational facilities and amenities in the new rental apartment building;
  - (k) the preparation and implementation of a Construction Mitigation and Communications Strategy prepared in consultation with the local Councillor and subject to the satisfaction the Acting Director of Community Planning North District, at the owner's own cost and expense prior to the issuance of any building permit related to the additional rental building; and
  - (l) a cash payment of \$150,000 for parks improvements, over and above the cash-in-lieu contribution required under Section 42 of the *Planning Act* to be paid upon the execution of the Section 37 Agreement;
- (5) request that the Board hold its Order until such time as the Owner has entered into a Site Plan Agreement under Section 41 of the Planning Act; and
  - (6) request that the Board hold its Order until such time as the Owner has fully complied with any outstanding Orders issued under the Building Code Act for 1200 or 1202 York Mills Road to the satisfaction of the Municipal Licensing and Standards Division.

The Midtown Community Council also had before it a supplementary report (September 4, 2003) from Acting Director, Community Planning, North District, with respect to a revised recommendation regarding permitted rent increases contained in a Final Report for a proposed infill apartment building development at 1200-1202 York Mills Road; and recommending that Council replace Recommendation 4(f) contained in the Final Report (OMB Direction) dated August 21, 2003 from the Acting Director, Community Planning North District as follows:

- 4(f) "Rent increases shall be limited for any tenants who took occupancy of a unit in the additional purpose built rental apartment house dwelling during the initial five (5) year period prior, as contained in 4 (e), until the date the tenant vacates their unit. Rent increases shall be limited to (1) the provincial guideline and (2) if applicable, an increase that exceeds the guideline due to necessary costs or an extraordinary increase in capital or operation costs subject to the process for calculating the increase and tenant participation set out in the Section 37 Agreement. These rules for increases shall not apply in the event that rents are otherwise controlled by the Provincial Government."

Lynne Poole, Planner, gave a brief presentation.

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

The following persons appeared before the Midtown Community Council with respect to the foregoing matter:

- William J. Dolan, President, William J. Dolan Planning Consultants Limited, on behalf of the applicant;
- Dale Ritch, Agent for 1200-1202 York Mills Road Tenants' Association; and
- Earl Johnston.

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

On motion by Councillor Mihevc, the Midtown Community Council:

- (i) submitted the foregoing report to Council without recommendation; and
- (ii) requested the Ward Councillor, in consultation with the Acting Director, Community Planning, North District, to meet with the applicant with a view to renegotiate facilities, services and matters pursuant to Section 37 of the Planning Act, paying particular attention to matters affecting tenants.

Councillor Mihevc resumed the Chair.

**(Clause No. 67, Report No. 7)**

**7.73 Through Traffic Prohibition: Exit from York Mills Square to Scarsdale Road (Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (January 14, 2002) from the Director, Transportation Services, District 3, with respect to rescinding the southbound through traffic restriction from York Mills Square Entrance/Exit to Scarsdale Road; and recommending that:

- (1) the southbound through traffic prohibition at the intersection of York Mills Road with York Mills Square/Scarsdale Road be rescinded; and
- (2) the appropriate by-law(s) be amended accordingly.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 68, Report No. 7)**

**7.74 113 Lawrence Crescent – Appeal of Committee of Adjustment Decision to the Ontario Municipal Board (Don Valley West – Ward 25)**

The Midtown Community Council had before it the following Resolution (September 2, 2003) by Councillor Flint:

WHEREAS the Committee of Adjustment for the City of Toronto (Midtown Panel) refused an application for minor variance by Robert Cattana, the owner of 113 Lawrence Crescent, to permit the construction of a second storey addition over the existing garage, and a two-storey addition to the rear of the existing dwelling;

WHEREAS 2 variances were requested related to a south side yard setback and to total gross floor area;

WHEREAS the Committee of Adjustment for the City of Toronto (Midtown Panel) refused the variance application, file No. A397-03M;

WHEREAS the applicant has appealed the Committee's decision to the Ontario Municipal Board;

WHEREAS no date has been set for the hearing of the appeal;

WHEREAS the local residents in opposition to the proposed development have retained legal counsel and initiated a reverse pie-shaped lot study being conducted by a qualified Registered Professional Planner;

THEREFORE BE IT RESOLVED that Council authorize the City solicitor to attend the Ontario Municipal Board hearing to uphold the City's By-law and defend the Committee of Adjustments' decision.

AND BE IT FURTHER RESOLVED THAT the City Solicitor consult with the area residents in opposition to the proposed development,

AND BE IT ALSO FURTHER RESOLVED THAT staff be directed to report back to Council following the Ontario Municipal Board hearing.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 69, Report No. 7)**

**7.75 Lawrence Crescent – Request for Pilot Study of Zoning Standards  
(Don Valley West – Ward 25)**

The Midtown Community Council had before it the following Resolution (September 2, 2003) by Councillor Flint:

"WHEREAS the interior circle of Lawrence Crescent has a unique lot configuration and smaller lots than the balance of Lawrence Park; and

WHEREAS there is significant redevelopment pressure on the Lawrence Crescent properties that is threatening the rear yard amenities of existing homes; and

WHEREAS existing by-law controls (largely GFA restrictions) are insufficient to give adequate direction to landowners, Committee of Adjustment and Ontario Municipal Board as to how to assess new development and home additions; and

WHEREAS new zoning controls should be examined and considered to address these issues;

THEREFORE BE IT RESOLVED that City Planning staff be directed to initiate a pilot study of the inner circle lots on Lawrence Crescent to consider new and revised zoning standards that will provide a degree of flexibility to homeowners wishing to make changes to their properties but at the same time will preserve the characteristics that most define the neighbourhood, including its open space and landscape qualities, with the support of local residents; and bring forth recommendations on draft zoning amendments (if necessary), to the first meeting of Community Council in the new term."

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 70, Report No. 7)**

**7.76 Raglan Avenue, West Side, From a Point 15.5 metres North – Request to Introduce On-Street Parking Spaces (St. Paul’s – Ward 21)**

The Midtown Community Council had before it a report (September 5, 2003) from the Director, Transportation Services, District 1, responding to a request from Councillor Joe Mihevc to provide time-limit parking for business patrons in the vicinity of St. Clair Avenue West and Raglan Avenue; and recommending that:

- (1) the existing “No Parking at Anytime” prohibition on both sides of Raglan Avenue, between St. Clair Avenue West and the north City limit of the former City of Toronto, be adjusted to apply only on the east side of Raglan Avenue;
- (2) parking be prohibited at anytime on the west side of Raglan Avenue, from a point 32.7 metres north of St. Clair Avenue West to the north City limit of the former City of Toronto;
- (3) parking be permitted for a maximum period of 15 minutes, from 8:00 a.m. to 9:00 p.m., Monday to Saturday, and from 1:00 p.m. to 9:00 p.m., Sundays, on the west side of Raglan Avenue, from a point 15.5 metres north of St. Clair Avenue West to a point 17.2 metres further north thereof;
- (4) parking controlled by a pay-and-display machine be introduced on the west side of Raglan Avenue, from a point 15.5 metres north of St. Clair Avenue West to a point 17.2 metres further north thereof, and to operate for a maximum period of 15 minutes from 8:00 a.m. to 9:00 p.m., Monday to Saturday, and from 1:00 p.m. to 9:00 p.m., Sundays, at a rate of \$0.25 per 15 minutes; and
- (5) 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.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 71, Report No. 7)**

**7.77 Claxton Boulevard, Between Raglan and Bathurst Street – Proposed Amendments to Parking Regulations to Provide Additional Parking (St. Paul’s – Ward 21)**

The Midtown Community Council had before it a report (September 4, 2003) from the Director, Transportation Services, District 1, reporting on a request from Councillor Joe Mihevc to amend parking regulations in order to provide additional daytime parking on Claxton Boulevard, between Raglan Avenue and Bathurst Street; and recommending that:

- (1) the parking prohibition in effect between 8:00 a.m. and 6:00 p.m., Monday to Friday, on the north side of Claxton Boulevard, from Raglan Avenue to a point 46 metres west of Bathurst Street, be rescinded;
- (2) the parking prohibition in effect between 8:00 a.m. and 6:00 p.m., Monday to Friday, on the south side of Claxton Boulevard, from Raglan Avenue to a point 46 metres west of Bathurst Street, be rescinded;
- (3) the no parking at anytime prohibition on the north side of Claxton Boulevard, between a point 46 metres west of Bathurst Street and Bathurst Street be amended to be in effect between a point 35 metres west of Bathurst Street and Bathurst Street;
- (4) the no parking at anytime prohibition on the south side of Claxton Boulevard, between a point 46 metres west of Bathurst Street and Bathurst Street be amended to be in effect between a point 54 metres west of Bathurst Street and Bathurst Street;
- (5) parking be permitted for a maximum period of one hour between 10:00 a.m. and 6:00 p.m., daily, on the north side of Claxton Boulevard, from Raglan Avenue to a point 35 metres west of Bathurst Street;
- (6) parking be permitted for a maximum period of one hour between 10:00 a.m. and 6:00 p.m., daily, on the south side of Claxton Boulevard, from Raglan Avenue to a point 54 metres west of Bathurst Street;

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (7) parking be prohibited between 7:00 a.m. and 10:00 a.m., Monday to Friday, on the north side of Claxton Boulevard, from Raglan Avenue to a point 35 metres west of Bathurst Street;
- (8) parking be prohibited between 7:00 a.m. and 10:00 a.m., Monday to Friday, on the south side of Claxton Boulevard, from Raglan Avenue to a point 54 metres west of Bathurst Street; and
- (9) 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.

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

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

Councillor Mihevc resumed the Chair.

**(Clause No. 72, Report No. 7)**

**7.78 71 Branbury Road – Request to Remove One City Owned Tree  
(Don Valley West – Ward 25)**

The Midtown Community Council had before it a report (September 3, 2003) from the Commissioner of Economic Development, Culture and Tourism, with respect to a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, for permission to remove one City owned tree, situated on the City road allowance adjacent to 71 Banbury Road; and recommending that Council:

- (1) deny the request for the removal of one City owned tree located at 71 Banbury Road; or
- (2) approve the request to remove one City owned tree located at 71 Banbury Road conditional on:
  - (i) the applicant paying for the value of the one Norway maple tree and for all associated removal and replacement costs, that is \$3,866.00;
  - (ii) the applicant planting one large-growing 70 mm replacement tree at the subject site to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

- (iii) 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.

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

On motion by Councillor Mihevc, the Midtown Community Council recommended to Council that the request to remove one City owned tree located at 71 Banbury Road, be approved, conditional on:

- (a) the applicant paying for the value of the one Norway maple tree and for all associated removal and replacement costs, that is \$3,866.00;
- (b) the applicant planting one large-growing 70 mm replacement tree at the subject site to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
- (c) 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.

Councillor Mihevc resumed the Chair.

**(Clause No. 73, Report No. 7)**

**7.79 Request to Amend City of Toronto Zoning By-law No. 438-66, Section E.**

The Midtown Community Council had before it a communication (September 4, 2003) from Councillor Mihevc, with respect to parking on private property in front of a property owner's home.

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

On motion by Councillor Mihevc, the Midtown Community Council referred the foregoing communication to the Commissioner of Urban Development Services with a request that she report thereon to the Planning and Transportation Committee.

Councillor Mihevc resumed the Chair.

(Commissioner of Urban Development Services; c. Councillor Mihevc – September 12, 2003)

**(Clause No. 76(e), Report No. 7)**

**7.80 67 Highland Crescent – Removal on One City Owned Tree.**

The Midtown Community Council had before it the following Resolution by Councillor Minnan-Wong:

“WHEREAS the owners of 67 Highland Crescent are anxious to provide safe access and egress from their home; and

WHEREAS in order to do so, the existing driveway needs to be realigned and requires the removal of a City Elm tree; and

WHEREAS this elm tree is scheduled to be replaced by 3 trees, size and species as per the attached landscape plan; and

WHEREAS the owners prefer this work to be scheduled sooner rather than later for safety reasons:

THEREFORE BE IT RESOLVED that Council approve the removal of one City Elm tree, subject to:

- (a) the applicant paying for the appraised value of the tree for all associated removal and replacement costs; and
- (b) the applicant planting three replacement trees, size and species as per the attached landscape plan; and
- (c) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified

cheque to cover the costs of planting and maintenance of the replacement trees; and

- (d) the applicant receive the necessary City permits for realigning the driveway prior to the removal of the City tree.

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

**(Clause No. 74, Report No. 7)**

**7.81 Prohibition of Skateboarding on Ptarmigan Crescent and Wallingford Drive.**

The Midtown Community Council had before it the following Resolution by Councillor Minnan-Wong:

WHEREAS both Ptarmigan Crescent and Wallingford Drive are quiet residential streets; and

WHEREAS the residents of both streets live next to Victoria Park Secondary School; and

WHEREAS skateboarding has become an increasingly popular recreational activity for young people; and

WHEREAS skateboarding creates excessive noise, crowds, and an increase in trespassing on private property; and

WHEREAS banning skateboarding in these streets was an agreed upon course of action at a meeting held with the Toronto Police Services, representatives of Victoria Park Secondary School and the local Councillor

NOW THEREFORE BE IT RESOLVED THAT skateboarding be prohibited on Ptarmigan Crescent and Wallingford Drive;

AND BE IF FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that are required.”

On motion by Councillor Minnan-Wong, the Midtown Community Council recommended to

Midtown Community Council Minutes  
Tuesday, September 9, 2003

---

Council adoption of the foregoing Resolution by  
Councillor Minnan-Wong.

**(Clause No. 75, Report No. 7)**

The Midtown Community Council recessed at the following times:

Recessed: 12:55 p.m.

Resumed: 2:00 p.m.

The Midtown Community Council adjourned its meeting at 5:50 p.m.

---

Vice-Chair