

THE CITY OF TORONTO

Clerk's Department

Minutes of the Toronto Community Council

Meeting No. 2

Wednesday, January 21, 1998.

The Toronto Community Council met on Wednesday, January 21st, 1998, in the Council Chamber, City Hall, Toronto, commencing at 9:30 a.m.

Members Present:

Councillor K. Rae, Chair
Councillor J. Adams
Councillor I. Bossons
Councillor S. Bussin
Councillor O. Chow
Councillor B. Disero
Councillor D. Fotinos
Councillor T. Jakobek
Councillor A. Johnston
Councillor C. Korwin-Kuczynski
Councillor J. Layton
Councillor P. McConnell
Councillor D. Miller
Councillor J. Pantalone
Councillor M. Silva
Councillor M. Walker

2. The Toronto Community Council had before it a general orientation and briefing regarding the Community Council.

The Toronto Community Council also had before it following communications:

- (January 20, 1998) from Mr. John Sewell;
- (January 15, 1998) from the City Clerk forwarding City Council's action at its meeting held on January 2, 6, 8 and 9, 1998 respecting Report of the Toronto Transition Team; and
- (January 21, 1998) from Councillor Kyle Rae.

Toronto Community Council Minutes
Wednesday, January 21, 1998.

Mr. John Sewell, on behalf of Citizens for Local Democracy, appeared before the Toronto Community Council in connection with the foregoing matter.

On motion by Councillor Layton, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998 that:

- (1) appropriate officials, in consultation with a team consisting of interested councillors, be requested to prepare a community information package on the Recreation and Parks user fee issue, enumerating the programs facing fees or fee hikes, listed by facility;
- (2) appropriate officials be requested to provide all users, instructors, boards, residents' associations, community centres and libraries with the community information package referred to in Recommendation No. (1);
- (3) appropriate officials be requested to prepare motions respecting delegation of powers concerning policy areas which could or should be delegated for final decisions to Community Councils.

The Toronto Community Council also took the following action:

On motion by Councillor McConnell:

- (1) agreed that a group consisting of interested members of Toronto Community Council and citizens will meet and report back to the meeting of the Toronto Community Council to be held on February 18 and 19, 1998 on how the following goals outlined below could best be fulfilled and implemented:
 - (a) citizens are encouraged to play a strong role in decision-making, and Community Councils act and are responsible to the residents of the community;
 - (b) the Community Councils adopt and implement policies which strengthen communities by giving them better information and more control over decisions that affect them;
 - (c) Community Councils have the mandate to decide on the issues and policies important to communities, and to spend the funds needed to make those decisions meaningful; and
 - (d) Community Councils have the staff needed to carry out these tasks.

Toronto Community Council Minutes
Wednesday, January 21, 1998.

On motion by Councillor Rae:

- (2) requested the Special Committee to Review the Final Report of the Toronto Transition Team to recommend to City Council that Recommendation #19 be amended to allow panels or sub-committees, to assist in the timing, administration and processing of agenda items before Community Councils;

On motion by Councillor McConnell:

- (3) requested the Acting Executive Commissioner of Urban Development Services to report to the Community Council, at its meeting to be held on February 18 and 19, 1998, on a mechanism that would provide Councillors with timely notification of Committee of Adjustment appeals;

On motion by Councillor Adams:

- (4) referred the following motion from Councillor Pantalone to the Acting Executive Commissioner of Urban Development Services and requested her to report thereon to the meeting of the Toronto Community Council to be held on February 18 and 19, 1998:

“That the Special Committee to Review the Final Report of the Toronto Transition Team be requested to recommend an amendment to the procedural by-law so that Committee of Adjustment decisions are not brought forward to the Community Council unless requested by the Ward Councillor or department head.”

On motion by Councillor Johnston:

- (5) referred the following motions from Councillor Johnston to the Special Committee to Review the Final Report of the Toronto Transition Team:

“(1) That all traffic, parking and sidewalk matters on all City streets be considered by the Community Council;

(2) That all policy setting matters be considered by the appropriate Standing Committee, but with the input of the Community Councils”.

The Toronto Community Council also adopted the following motion placed by Councillor Layton on behalf of Councillor Rae:

“WHEREAS the Interim Procedural By-law adopted by Council on January 2, 6, 8 and 9 requires that anyone wishing to make oral submissions to a Committee shall give written notice thereof including a written outline of the submissions to be made to the Committee secretary at least 8 days in advance of the Committee meeting;

Toronto Community Council Minutes
Wednesday, January 21, 1998.

AND WHEREAS the said Interim Procedural By-law enables the Committee to decide, by majority vote, to waive compliance with the aforesaid requirement;

AND WHEREAS the Toronto Community Council considers the aforesaid requirement to be a disincentive to open and accessible community participation in local government issues;

AND WHEREAS it is the mandate of Community Councils to afford all citizens an opportunity to participate in local decision-making;

NOW THEREFORE IT IS MOVED that the Toronto Community Council waive the requirements of s. 131(2) and 131(3) of the Interim Procedural By-law adopted by Council on January 2, 6, 8 and 9, 1998, and hear oral submissions by any person in respect of matters on the agenda for any meeting of the Toronto Community Council, without the necessity of the deputant making written submissions in advance of the meeting.

(City Clerk; Acting Executive Commissioner of Emergency & Protective Services; Acting Executive Commissioner of Urban Development and Environment; Chief Financial Officer and Treasurer; Acting Executive Commissioner of Community & Neighbourhood Services - No Encl. - January 27, 1998)

(Clause No. 17, Report No. 1)

3. The Toronto Community Council had before it a report (January 6, 1998) from the Commissioner of Urban Development Services respecting request for approval of variances from Chapter 297, Signs, of the City Of Toronto Municipal Code to permit one illuminated projecting sign at 647 Gerrard Street East (Don River) and recommending that the application be refused.

On motion by Councillor Layton, the Toronto Community Council deferred consideration of the report until its meeting to be held on February 18 and 19, 1998.

(Forward Sign & Advertising Co. Ltd., 4144 Midland Avenue, Scarborough, M1V 4S7; Trans Hai Sinh/Truong Lia Phong, 647 Gerrard Street East, Toronto, M4M 1Y2; cc: Lora Mazzocca, Urban Development Services - No Encl. - February 2, 1998)

(Clause No. 18a, Report No. 1)

4. The Toronto Community Council had before it a report (September 4, 1997) from the Commissioner of Urban Development Services respecting request for Approval of

Toronto Community Council Minutes
Wednesday, January 21, 1998.

Variations from Chapter 297, Signs of the City of Toronto Municipal Code to permit one undefined, illuminated non-encroaching sign on the north and west elevations of the third storey, containing animated and changeable copy at 69 Bloor Street East (Downtown), and recommending that the application be refused.

The Toronto Community Council also had before it a communication (January 20, 1998) from Mr. David A. Wilson, The Institute of Chartered Accountants of Ontario.

On motion by Councillor Chow, the Toronto Community Council deferred consideration of the report until its meeting to be held on February 18 and 19, 1998.

(Dominic Rotundo, 453 Chancellor Drive, Woodbridge, L4L 5R1; Dave Wilson, The Institute of chartered Accountants of Ontario Inc., 69 Bloor Street East, Toronto, M4W 1R3; cc: Councillor Rae; Councillor Chow - No Encl. - February 3, 1998)

(Clause No. 18b, Report No. 1)

5. The Toronto Community Council had before it a report (September 15, 1997) from the Commissioner of Urban Development Services respecting request for approval of a variance from Chapter 297, Signs, of the City of Toronto Municipal Code to permit 21 illuminated signs and 3 non-illuminated signs at 8 South Kingsway, and recommending that:

1. City Council approve Application No. 997073 respecting a minor variance from Chapter 297, Signs, of the City of Toronto Municipal Code to permit 21 illuminated signs and 3 non-illuminated signs.
2. The applicant be advised, upon approval of Application No. 997073, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services.

The Toronto Community Council also had before it the following communications

- (January 19, 1998) from Mr. G.V. Martinsons, Swansea Area Ratepayers' Association;
- (January 20, 1998) from Ms. Victoria Masnyk, Ripley Area Residents Group Ltd.; and
- petition with 50 signatures in opposition, submitted by Ms. Victoria Masnyk.

On motion by Councillor Korwin-Kuczynski, the Committee recommended to City Council for its meeting be held on February 4, 1998 that Application No. 997073 respecting a minor variance from Chapter 297, Signs, of the City of Toronto

Municipal Code to permit 21 illuminated signs and 3 non-illuminated signs at 8 South Kingsway be refused.

On a further motion by Councillor Bossons, the Toronto Community Council also requested the Acting Commissioner of Urban Development Services to report on design guidelines of gas stations and gas bars within the context of the urban environment.

(Acting Executive Commissioner of Urban Development Services - No Encl. - January 27, 1998)

(Clause No. 14, Report No. 1)

6. The Toronto Community Council had before it a report (July 31, 1997) from the Commissioner of Community Services respecting a request for removal of city-owned tree fronting at 999 St. Clarens Avenue (Davenport), and recommending that the request for tree removal be denied.

On motion by Councillor Disero, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, that the request for tree removal at 999 St. Clarens Avenue be denied.

(Clause No. 9, Report No. 1)

7. The Toronto Community Council had before it a report (December 17, 1997) from the Assistant City Clerk, former City of Toronto respecting 928 Bloor Street West - Designation Under Part IV of The Ontario Heritage Act (Davenport), and recommending that the report be received for information.

On motion by Councillor Disero, the Toronto Community Council received the foregoing report for information.

(Interested Persons; cc: Acting managing Director of Heritage Toronto; Acting City Solicitor, Attention: Ward Earle; Director, Corporate Document Management and City Archivist - No Encl. - February 3, 1998)

(Clause No. 18c, Report No. 1)

Toronto Community Council Minutes
Wednesday, January 21, 1998.

The Toronto Community Council adjourned at 12:35 p.m..

The Toronto Community Council reconvened at 2:00 p.m..

Members Present:

Councillor K. Rae, Chair
Councillor J. Adams
Councillor I. Bossons
Councillor S. Bussin
Councillor O. Chow
Councillor B. Disero
Councillor D. Fotinos
Councillor T. Jakobek
Councillor A. Johnston
Councillor C. Korwin-Kuczynski
Councillor J. Layton
Councillor P. McConnell
Councillor D. Miller
Councillor J. Pantalone
Councillor M. Silva
Councillor M. Walker

8. The Toronto Community Council had before it a preliminary report (January 6, 1998) from the Commissioner of Urban Development Services on Application No. 197024 to amend Site Specific By-law 22037 to permit a reduction in the Number of Parking Spaces required for 103-105 West Lodge Avenue (High Park), and recommending that:
- (1) the Commissioner of Urban Development Services hold a public meeting in the area to discuss the application and to notify tenants and owners within 120 metres of the site and the Parkdale Village BIA and the Roncesvalles/Macdonell Residents Association and the Ward Councillors;
 - (2) the owner submit to the Commissioner of Urban Development services a parking study satisfactory to the Commissioner of City Works Services; and
 - (3) the owner be advised that, prior to final Council approval of this project, the owner may be required to submit a Noise Impact Statement. The owner will be further advised of these requirements, as they relate to this project by the Commissioner of City Works Services.

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council:

- (1) adopted of the foregoing preliminary report; and
- (2) requested the applicant to provide the Acting Commissioner of Urban Development Services with a report on the demolition of the garage at 103-105 West Lodge Avenue, for submission to the public meeting to be held in the community.

(Interested Persons - No Encl. - February 3, 1998)

(Clause No. 18(f), Report No. 1)

9. The Toronto Community Council had before it a preliminary report (January 7, 1998) from the Commissioner of Urban Development Services on Official Plan Amendment and Rezoning Application No. 197018 to permit a 4-storey Mixed-use Building containing Ground Floor Retail Space and 40 Residential Units - 1117 Dundas Street West (Trinity-Niagara), and recommending that:

- (1) the Commissioner of Urban Development Services be requested to hold a public meeting in the area to discuss the application and to notify tenants and owners within 120 metres of the site and the Ward Councillors; and
- (2) the owner be advised that, prior to final Council approval of this project, the owner may be required to submit a Noise Impact Statement. The owner will be further advised of these requirements, as they relate to this project by the Commissioner of City Works Services.

On motion by Councillor Pantalone, the Toronto Community Council adopted the foregoing preliminary report.

(Interested Persons; cc: Councillor Silva; Councillor Pantalone - No Encl. - February 3, 1998)

(Clause No. 18(g), Report No. 1)

10. The Toronto Community Council had before it a report (January 8, 1998) from the Commissioner of Urban Development Services respecting request for Approval of a Variance from Chapter 297, Signs, of the City Of Toronto Municipal Code to

Toronto Community Council Minutes
Wednesday, January 21, 1998.

Permit one illuminated fascia sign at 92 Avenue Road (Midtown), and recommending:

- (1) that City Council approve Application No. 997083, as revised, respecting a minor variance from Chapter 297, Signs of the City of Toronto Municipal Code to permit one illuminated fascia sign; and
- (2) that the applicant be advised, upon approval of Application No. 997083, as revised, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services.

On motion by Councillor Adams, the Toronto Community Council deferred consideration of the foregoing report until its meeting to be held on February 18 and 19, 1998.

(Mediacom Inc., c/o Thomas Smith, 377 Horner Avenue, Etobicoke M8W 1Z6; Leslie Lichtman, Katalin Lichtman, Globe Stamp Co., c/o Alex Grossman, 3625 Dufferin Street, Ste. 207, Downsview M3K 1Z2; cc: Lora Mazzocca, Urban Development Services - No Encl. - February 2, 1998)

(Clause No. 18(h), Report No. 1)

11. The Toronto Community Council had before it a report (January 8, 1998) from the Commissioner, Urban Development Services respecting request for approval of variances from Chapter 297, Signs, of the City of Toronto Municipal Code to maintain one illuminated projecting sign at 511 Queen Street West.

On motion by Councillor Layton, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, the adoption of the foregoing report from the Commissioner of Urban Development Services.

(Clause No. 13, Report No. 1)

12. The Toronto Community Council had before it a report (January 8, 1998) from the Commissioner of Urban Development Services respecting request for approval of a variance from Chapter 297, Signs, of the City of Toronto Municipal Code to permit three non-illuminated fascia signs at 601 Yonge Street.

On motion by Councillor McConnell, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, the adoption of the foregoing report from the Commissioner of Urban Development Services.

(Clause No. 13, Report No. 1)

13. The Toronto Community Council had before it a report (January 6, 1998) from the Commissioner of Urban Development Services respecting request for Approval of Variances from Chapter 297, Signs, of the City of Toronto Municipal Code to maintain Seven Illuminated Fascia Signs at 794 Bathurst Street (Midtown), and recommending:

1. That City Council approval Application No. 997100 respecting minor variances from Chapter 297, Signs, of the City of Toronto Municipal Code to maintain seven illuminated fascia signs.
2. That the applicant be advised, upon approval of Application No. 997100, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services.

On motion by Councillor Adams the Toronto Community Council deferred consideration of:

- (1) the foregoing report from the Commissioner of Urban Development Services;
- (2) The following motion:

“That City Council refuse Application No. 997100 respecting minor variances from Chapter 297, Signs, of the City of Toronto Municipal Code to maintain seven illuminated fascia signs, because the extensive encroachment onto the second floor level has resulted in unnecessarily prominent signage which also sets an undesirable precedent for other properties along this section of Bloor Street West.”

until its meeting to be held on February 18 & 19, 1998, for deputations.

(Meteor Sign Works Ltd., 3615 Weston Road, Unit #7, Toronto M9L 1V8; 784899 Ontario Inc., 21 Dobbin Road, Scarborough, M1T 1C3; cc: Lora Mazzocca, Urban Development Services - No Encl. - February 2, 1998)

(Clause No. 18(i), Report No. 1)

14. The Toronto Community Council had before it a report (January 6, 1998) from the Commissioner, Urban Development Services respecting request for approval of a

variance from Chapter 297, Signs, of the City of Toronto Municipal Code to permit three illuminated fascia signs at 111 Carlton Street (Downtown).

On motion by Councillor Walker, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, the adoption of the foregoing report from the Commissioner of Urban Development Services.

(Clause No. 13, Report No. 1)

- 15.** The Toronto Community Council had before it a communication (September 7, 1997) from Councillor Adams, respecting 50 Prince Arthur Avenue - Committee of Adjustment Hearing and Potential Appeal to Ontario Municipal Board (Midtown).

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

- (September 7, 1997) from Councillor Adams;
- (September 29, 1997) from Mr. Mark McQueen;
- (October 15, 1997) Committee of Adjustment Decision.

On motion by Councillor Adams the Toronto Community Council:

- (1) deferred consideration of the communication (September 7, 1997) from Councillor Adams respecting 50 Prince Arthur Avenue - Committee of Adjustment Hearing and Potential Appeal to Ontario Municipal Board (Midtown) until its meeting to be held on February 18 and 19, 1998 (such communication requests that City Council give instructions to the City Solicitor, if necessary, to deal with this application in the event that the decision of the Committee of Adjustment is appealed by any party to the Ontario Municipal Board); and
- (2) requested the Acting Executive Commissioner of Urban Development Services to report on the Rezoning Application at that time.

(Interested Persons - No Encl. - January 29, 1998)

(Clause No. 18(j), Report No. 1)

- 16.** The Toronto Community Council had before it a report (December 1, 1997) from the City Solicitor respecting 17 Elwood Boulevard - Ontario Municipal Board Decision (North Toronto) and recommending that the report be received for information.

On motion by Councillor Walker, the Toronto Community Council received the foregoing report for information.

(Interested Persons - No Encl. - January 28, 1998)

(Clause No. 18(k), Report No. 1)

- 17.** The Toronto Community Council had before it a report (October 14, 1997) from the City Solicitor respecting 44 Price Street - Toronto Lawn Tennis Club - Ontario Municipal Board Decision (Midtown), and recommending that the report be received for information.

On motion by Councillor Adams, the Toronto Community Council received the foregoing report for information.

(Interested Persons - No Encl. - January 28, 1998)

(Clause No. 18(l), Report No. 1)

- 18.** The Toronto Community Council had before it a communication (December 24, 1997) from Mr. Jack Slaughter, Chair, Swansea Town Hall Board of Management, and nominating Ms. Valerie Cooper-Wells' to the Swansea Town Hall Board of Management to replace Ms. Wilma Hays.

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, that Ms. Valerie Cooper-Wells be appointed to the Swansea Town Hall Board of Management to replace Ms. Wilma Hays, for a term of office expiring on May 31, 1999 and/or until her successor is appointed.

(Clause No. 1, Report No. 1)

- 19.** The Toronto Community Council had before it a communication (December 11, 1997) from Susan Neal, Executive Director, Eastview Neighbourhood Community Centre, and nominating Ms. Andrea Addario to the Eastview Neighbourhood Community Centre.

On motion by Councillor McConnell, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, that

Ms. Andrea Addario be appointed to the Eastview Neighbourhood Community Centre to replace Ms. Linda LaPlante, for a term of office expiring on May 31, 1999 and/or until her successor is appointed.

(Clause No. 2, Report No. 1)

20. The Toronto Community Council had before it a communication (December 1, 1997) from Mr. Mark Kowalczyk respecting Vending Appeal for Wellington Street West (Downtown).

On motion by Councillor Rae, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal for deputation:

the foregoing appeal, for deputations

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

21. The Toronto Community Council had before it a communication (December 9, 1997) from Mr. M.J. Anderson, President, The Parking Authority of Toronto respecting Commercial Boulevard Parking Application Appeal at 30 Alvin Avenue (Midtown).

On motion by Councillor Adams, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

22. The Toronto Community Council had before it a communication (September 8, 1997) from Ms. Gina Tapper respecting Front Yard Parking Appeal at 17 Lynwood Avenue (Midtown).

On motion by Councillor Adams, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. -
January 30, 1998)

(Clause No. 18(m), Report No. 1)

23. The Toronto Community Council had before it a communication (July 12, 1997) from Ms. Kerri Larson respecting Boulevard Cafe Appeal at 1212 Dundas Street West, Cafe Aquario (Trinity-Niagara).

On motion by Councillor Pantalone, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on:

- (1) the foregoing appeal, for deputations;
- (2) a mechanism whereby a poll could be conducted in respect of boulevard cafe applications within the 2 year time frame if there is an indication that opinion in the neighbourhood respecting an application has changed.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. -
January 30, 1998)

(Clause No. 18(m), Report No. 1)

24. The Toronto Community Council had before it a communication (January 6, 1998) From Mr. G. Francis Deck respecting Boulevard Cafe Appeal at 45 Eglinton Avenue East, Holly Street Flankage (North Toronto).

On motion by Councillor Johnston, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. -
January 30, 1998)

(Clause No. 18(m), Report No. 1)

25. The Toronto Community Council allowed the introduction of a report (January 12, 1998) from the Commissioner, City Works Services respecting request to amend the existing parking limit at Millbank Avenue, from Strathearn Boulevard to Vesta Drive (Midtown), and recommending that:

Toronto Community Council Minutes
Wednesday, January 21, 1998.

1. The existing 2 hour maximum parking limit from 7:00 a.m. to 2:00 a.m., daily, on both sides of Millbank Avenue, from Strathearn Boulevard to Vesta Drive, be adjusted to apply from 7:00 a.m. to 6:00 p.m., Monday to Saturday; and
2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Adams, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998 the adoption of the foregoing report from the Commissioner, City Works Services.

(Clause No. 4, Report No. 1)

- 26.** The Toronto Community Council allowed the introduction of a communication (January 20, 1998) from Mr. Gilbert Formella - Vending Appeal - Scott Street East Side (Downtown).

On motion by Councillor Walker, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

- 27.** The Toronto Community Council allowed the introduction of a report (January 20, 1998) from the City Solicitor respecting OMB Hearing (North Toronto) for 153 Bowood Avenue, and recommending that the report be received for information.

On motion by Councillor Walker, the Toronto Community Council received the foregoing report for information.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(o), Report No. 1)

28. The Toronto Community Council allowed the introduction of a communication (October 14, 1998) from Mr. Norman Day respecting Front Yard Parking Appeal for 17 Marlborough Avenue (Midtown).

On motion by Councillor Adams, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

29. The Toronto Community Council allowed the introduction of a communication (October 4, 1997) from Mr. Konstantinos Koutoumanos respecting Boulevard Cafe Appeal for Shoxs Cafe And Billiard Lounge at 2827 Dundas Street West (Davenport).

On motion by Councillor Disero, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

30. The Toronto Community Council allowed the introduction of a communication (undated) from Councillors Pantalone and Silva respecting Minor Changes to permit parking hours of operation on Manning Avenue (from Harbord Street to Ulster Street) and recommending:

- (1) that this item be introduced at the Toronto Community Council meeting of January 21, 1998;
- (2) that the requirement for advertisement and subsequent possible hearing in the reduction of permit parking hours for 15 minutes (from 12 midnight to 10 a.m. to 12 midnight to 9:45 a.m.) be waived in this circumstance;

Toronto Community Council Minutes
Wednesday, January 21, 1998.

- (3) that the Permit Parking hours by-law for Manning Avenue (from Harbord Street to Ulster Street) be adjusted by the afore-mentioned 15 minutes;
- (4) that the City Solicitor introduce the necessary amending bill at the City Council meeting of February 4, 1998; and
- (5) that officials give effect thereto.

On motion by Councillor Pantalone, the Toronto Community Council deferred consideration of the foregoing communication for deputations until its meeting to be held on February 18 and 19, 1998, to permit the statutory requirements to be fulfilled, and requested the City Solicitor to submit the draft by-law for consideration at that time.

(Interested Persons; cc: Sylvia Watson, Legal Department; Lesley Watson, Emergency & Protective Services - No Encl. - February 2, 1998)

(Clause No. 18(p), Report No. 1)

- 31.** The Toronto Community Council allowed the introduction of a communication (January 21, 1998) from Councillor Betty Disero respecting request for reinstatement of three disabled on-street parking spaces at 1131, 1150 And 1158 Dovercourt Road (Davenport).

On motion by Councillor Disero, The Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, the adoption of the following motion:

“WHEREAS By-law No. 97-0671, enacted by the former Toronto city council at its meeting of December 8, 1997, authorized the removal of a number of disabled person’s on-street parking spaces at various locations; and

WHEREAS three disabled on-street parking spaces were inadvertently removed at the following locations:

- (a) The east side of Dovercourt Road, from a point 78.3 metres north of Geary Avenue to a point 5.5 metres further north (Premises No. 1131 Dovercourt Road);
- (b) The west side of Dovercourt Road, from a point 172.3 metres north of Geary Avenue to a point 5.5 metres further north (Premises No. 1150 Dovercourt Road); and

- (c) The west side of Dovercourt Road, from a point 188 metres north of Geary Avenue to a point 5.5 metres further north (Premises No. 1158 Dovercourt Road);

NOW THEREFORE BE IT RESOLVED THAT authority be granted to introduce the necessary Bill in council to amend the appropriate Schedule of Chapter 400 of the City of Toronto Municipal Code accordingly to allow for the reinstatement of the above noted disabled persons on-street parking spaces.”

(Clause No. 5 - Report No. 1)

32. The Toronto Community Council had before it a communication (December 16, 1997) from the Assistant City Clerk, former City of Toronto, respecting a request for a natural garden exemption for 120 Duvernet Avenue (East Toronto), and recommending:

1. That City Council grant an exemption under Municipal Code Chapter 202, Section 202-2D to cancel the served notice and to allow a natural garden to remain at 120 Duvernet Avenue; or
2. That City Council confirm the served notice and direct that a second notice be given under Municipal Code Chapter 202, Section 202-2D requiring the cutting of grass and weeds, as prescribed in the regulations.

The Toronto Community Council also had before it a communication (January 21, 1998) from Mr. Patrick McDonald.

The Toronto Community Council also had before it Clause 13, of Report No. 25 of the Executive Committee of the former City of Toronto, titled “Municipal Code Chapter 202 - Request for Natural Garden Exemption - 120 Duvernet Avenue (Ward 10)”.

On motion by Councillor Bussin, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, that City Council grant an exemption under Municipal Code Chapter 202, Section 202-2D to cancel the served notice and to allow a natural garden to remain at 120 Duvernet Avenue.

On a further motion by Councillor Bussin, the Toronto Community Council also requested the Acting Executive Commissioner of Community Services to review the natural garden after one year and report back thereon to the Toronto Community Council.

(Acting Executive Commissioner of Community Services - No Encl. - January 27, 1998)

(Clause No. 11, Report No. 1)

33. The Toronto Community Council had before it a communication (December 16, 1997) from the Assistant City Clerk, former City of Toronto respecting Municipal Code Chapter 202 regarding request for natural garden exemption for 239 Havelock Street (Trinity-Niagara), and recommending:

1. That City Council grant an exemption under Municipal Code Chapter 202, Section 202-2D to cancel the served notice and to allow a natural garden to remain at 239 Havelock Street; or
2. That City Council confirm the served notice and direct that a second notice be given under Municipal Code Chapter 202, Section 202-2D requiring the cutting of grass and weeds, as prescribed in the regulations.

The Toronto Community Council also had before it Clause 12 of Report No. 25 of the Executive Committee of the former City of Toronto, titled "Municipal Code Chapter 202 - Request for Natural Garden Exemption - 239 Havelock Street (Ward 3)".

On motion by Councillor Silva, the Toronto Community Council recommended that City Council grant an exemption under Municipal Code Chapter 202, Section 202-2D to cancel the served notice and to allow a natural garden to remain at 239 Havelock Street.

(Clause No. 12, Report No. 1)

34. The Toronto Community Council had before it a report (August 27, 1997) from the Commissioner of City Works Services respecting Oakwood Avenue at its intersection with Burlington Crescent - Installation of an all-way "Stop" sign control (Davenport), and recommending that the report be received for information.

The Toronto Community Council also had before it a Metropolitan Toronto Police Continuous Complaint Form dated August 27, 1996, submitted by Councillor Disero.

On motion by Councillor Disero, the Toronto Community Council deferred consideration of the foregoing report until its meeting to be held on February 18 and 19, 1998.

(Interested Persons; cc: City Works Services - No Encl. - February 2, 1998)

(Clause No. 18(d), Report No. 1)

- 35.** The Toronto Community Council had before it a report (January 9, 1998) from the Commissioner of City Works Services respecting a Public Hearing - Maintenance of a Wooden Fence - 745 Markham Street (Midtown).

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

- (January 19, 1998) from Councillor Adams requesting deferral;
- (January 16, 1998) from Ms. Maria Rodrigues

The Toronto Community Council, on motion by Councillor Adams:

- (1) deferred consideration of the foregoing report until its meeting to be held on February 18 and 19, 1998; and

On motion by Councillor Johnston:

- (2) requested the Acting Commissioner of Urban Development Services to report on the policy and process for fences; such report to include the roles and responsibilities of the applicant, staff and the Community Council, suggested ways to provide for community input and also setting out a dispute resolution process.

(Interested Persons; cc: Commissioner of City Works Services - No Encl. - February 6, 1998)

(Clause No. 18(e), Report No. 1)

- 36.** The Toronto Community Council had before it a report (January 9, 1998) from the Commissioner of Community Services, respecting 300, 304 St. Clair Avenue West and 345 Spadina Road, Toronto - Application to Remove Four Trees and Injure One Tree Situated on Private Property (Midtown), and recommending:

That if Toronto Community Council approves the request for the removal of the four trees and the injury of one tree, all trees noted below, that such approval be conditional on:

1. the trees in question not being removed or injured until permitted demolition and construction related activities in accordance with plans approved under

Toronto Community Council Minutes
Wednesday, January 21, 1998.

Site Plan Approval Application No. 397111 commence which warrant the removal of the trees; and

2. the applicant planting a minimum of one hundred and five (105) new trees (seventy-seven (77) of which are cedars to be planted as hedging), in accordance with the Landscape Plan prepared by Terraplan Landscape Architects, dated stamped as received on December 8, 1997 by Urban Development Services, red-lined on December 19, 1997 and on file with the Commissioner of Urban Development Services.

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

- (January 19, 1998) from Ms. Lisa Landreth;
- (January 19, 1998) from Ms. Joan Culley;
- (January 18, 1998) from Mr. Dave Culley;
- (undated) from Ms. Mary Louise Gaby;
- (January 19, 1998) from Mr. Lyn Carter;
- (January 16, 1998) from D.A. Robaszewski;
- (January 19, 1998) from Mr. Carl Tacon;
- (January 20, 1998) from Cyril Reade;
- (January 19, 1998) from Geoff Belchetz;
- (January 19, 1998) from K. Dalik.

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

- Mr. Glen Cohen, owner of property, 435 Spadina Road
- Mr. Mathew Bernstein, Terraplan Landscape Architects, Consulting Landscape Architect, on behalf of the applicant
- Ms. Joan Culley, Toronto, Ontario
- Ms. Nina Czegledy, Toronto, Ontario
- Mr. Lorne Vineberg, Toronto, Ontario
- Mr. Geoffrey Belchetz, owner of property, 435 Spadina Road

Councillor Miller declared his interest in the foregoing matter and insofar as his spouse owns property within 300 metres of the subject site.

On motion by Councillor Bossons, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, that the request for the removal of four trees and the injury of one tree at 300, 304 St. Clair Avenue West and 345 Spadina Road be approved, conditional on:

- (1) the trees in question not being removed or injured until permitted demolition and construction related activities in accordance with plans approved under

Toronto Community Council Minutes
Wednesday, January 21, 1998.

Site Plan Approval Application No. 397111 commence which warrant the removal of the trees; and

- (2) the applicant planting a minimum of one hundred and five (105) new trees (seventy-seven (77) of which are cedars to be planted as hedging), in accordance with the Landscape Plan prepared by Terraplan Landscape Architects, dated stamped as received on December 8, 1997 by Urban Development Services, red-lined on December 19, 1997 and on file with the Commissioner of Urban Development Services.

On a further motion by Councillor Bossons, the Toronto Community Council also requested staff to continue to work with the applicant to narrow and reconfigure the driveway of the development project at 304 St. Clair Avenue West, in order to protect the Black Locust tree located at 300 St. Clair Avenue West.

(Acting Executive Commissioner of Community and Neighbourhood Services - No Encl. - January 27, 1998)

(Clause No. 10, Report No. 1)

37. The Toronto Community Council had before it a report (January 2, 1998) from the Commissioner of Urban Development Services, respecting residential demolition permit applications for 399 - 403 King Street East (Don River), and recommending that the demolition permits be refused.

The Toronto Community Council also had before it following communications::

- (January 7, 1998) from Councillor McConnell;
- (January 5, 1998) from Mr. Rollo H.H. Myers;
- (January 8, 1998) from Mr. Howard Levine, Chair, Citizens for the Old Town;
- (January 6, 1998) from Ms. Marie Day;
- (January 6, 1998) from Ms. Vanena Laufer;
- (January 12, 1998) from Mr. Cyrus Sundar-Singh;
- (January 12, 1998) from Mr. Brian Anthony, Heritage Canada;
- (January 12, 1998) from Mr. Michael Cruickshank, York Heritage Properties;
- (January 17, 1998) from Mr. David Hutchinson;
- (January 19, 1998) from Mr. Delbert Jackson, on behalf of the applicant;
- (January 19, 1998) from Mr. Radford Cook, President, Corktown Residents & Business Association Inc.;
- (January 19, 1998) from Ms. Peggy Kurtin, President, Cabbagetown Preservation Association;
- (January 20, 1998) from Mr. Roger W. McLennan;

Toronto Community Council Minutes
Wednesday, January 21, 1998.

- (January 20, 1998) from Ms. Shirley Morriss;
- (January 20, 1998) from Mr. James Cowan, Hambros Canada Inc.;
- (January 19, 1998) from Ms. Helene St. Jacques, Colette French, Michael Thomas, QUEBA;
- (January 19, 1998) from Canlight Property Management, The Derby Condominiums;
- (January 20, 1998) from Ms. Elenor Wright;
- (January 8, 1998) from Mr. George E. Waters, Managing Director, Heritage Toronto;
- (January 19, 1998) from Mr. William O. Menzel, Brown Beck & Ross Architect;

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

- Mr. Rollo Myers, Coordinator, Citizens for the Old Town
- Mr. John Ridout, President, Town of York Historical Society
- Reverend Chris King, on behalf of the applicant
- Ms. Judith Kennedy, on behalf of the applicant
- Mr. Delbert Jackson, on behalf of the applicant
- Mr. Douglas Grant, on behalf of the applicant
- Mr. Howard Levine, Chair, Citizens for the Old Town
- Mr. Ian Wheal, Ontario Society for Industrial Archaeology
- Ms. Lenee Badhwar, Cabbagetown Preservation Association

On motion by Councillor McConnell, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998 that residential demolition permits for 399-403 King Street East be refused.

The Toronto Community Council also requested:

On motion by Councillor McConnell:

- (1) the Acting Commissioner of Urban Development Services to ensure that the buildings located at 399-403 King Street East are properly secured and lit, and that the grounds are appropriately kept in order, to ensure that they are not a danger to local neighbours and do not deteriorate any further;
- (2) the Chief Financial Officer and Treasurer to report on incentives that can be recommended to City Council to encourage the preservation of historical properties.

On motion by Councillor Layton:

Toronto Community Council Minutes
Wednesday, January 21, 1998.

- (3) the Chief Financial Officer and Treasurer to submit a report directly to Council for its meeting to be held on February 4, 1998, on an exemption for the taxes to be paid on the properties located at 399-403 King Street East, given that they are owned by a religious institution;
- (4) the Ward Councillors and the community to examine the possibility that the housing initiative previously designated for the site but cancelled by the provincial government, be reinstated;
- (5) referred the housing initiative previously designated for the site but cancelled by the provincial government to the Task Force on Homelessness.

(Chief Financial Officer and Treasurer; Acting Executive Commissioner of Urban Development Services; Councillor McConnell; Councillor Layton; Task Force On Homelessness - No Encl. - January 26, 1998)

(Clause No. 15, Report No. 1)

- 38.** The Toronto Community Council had before it a report (January 9, 1998) from the Commissioner, City Works Services respecting application for Sidewalk/Boulevard Vending Privileges regarding Walter Street, East Side, 5.2 Metres North of Kingston Road (East Toronto), and recommending:

That, should City Council wish to permit the request of Ms. Helen Wengle to vend on the sidewalk/boulevard in a residential zone, on the Walter Street flank north of Kingston Road, which is not presently permitted under City of Toronto Municipal Code, Chapter 315, it is recommended that:

- (1) the Commissioner conduct a poll of all owners and tenants within 120 metres of the property, as required for proposed boulevard cafes on residential flankages per Chapter 90, Polling Notification and Procedures; and if the poll result is positive, that the City Solicitor introduce the necessary bill in Council to amend Schedule B, Chapter 315, Street Vending, accordingly so that a license may be issued for this location; and
- (2) the Commissioner report again one year from the date a licence is issued, on any complaints or issues which may have arisen as a result of the vending operation.

On motion by Councillor Bussin, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, that a licence be granted to Ms. Helen Wengle to vend on the sidewalk/boulevard in a residential zone, on the

Walter Street flank north of Kingston Road, and that the City Solicitor introduce the necessary bill in Council to give effect thereto.

(Clause No. 6, Report No. 1)

- 39.** The Toronto Community Council had before it a communication (November 28, 1997) from Councillor Jakobek, respecting a request to move a hydro pole at 30 Gates Avenue.

On motion by Councillor Jakobek, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, that due to the extenuating circumstances involved, Toronto Hydro be requested to consider moving the Hydro pole located at 30 Gates Avenue, at no cost to the City.

On motion by Councillor Pantalone, the Toronto Community Council also requested the Chief Financial Officer & Treasurer to submit a report directly to Council for its meeting to be held on February 4, 1998, on establishing a policy which would extend this needed benefit to senior citizens in the same circumstances across the City.

(Chief Financial Officer and Treasurer - No Encl. - January 26, 1998)

(Clause No. 7, Report No. 1)

- 40.** The Committee had before it a communication (July 12, 1997) from Ms. Kerri Larson respecting Boulevard Cafe Appeal for 495 Eglinton Avenue West, Autogrill Restaurant (North Toronto).

On motion by Councillor Jakobek, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

- 41.** The Toronto Community Council had before it a communication (December 19, 1997) from Mr. Tony O'Donohue, Environmental Probe Ltd. respecting Boulevard Cafe Privileges Appeal regarding 1510 Yonge Street - Delisle Avenue Flankage and 2387 Yonge Street - Broadway Avenue Flankage (North Toronto and Midtown).

On motion by Councillor Jakobek, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

42. The Toronto Community Council had before it a communication (July 12, 1997) from Ms. Kerri Larson respecting Boulevard Cafe Appeal for 1043 Gerrard Street East, B-52 Restaurant & Bar (Don River).

On motion by Councillor McConnell, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

43. The Toronto Community Council had before it a communication (July 12, 1997) from Ms. Kerri Larson respecting Boulevard Cafe Appeal at 889 Queen Street East, King Muffin (Don River).

On motion by Councillor McConnell, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

44. The Toronto Community Council had before it a communication (July 12, 1997) from Ms. Kerri Larson respecting Boulevard Cafe Appeal at 1021 Gerrard Street East, King Muffin II (Don River).

On motion by Councillor McConnell, the Toronto Community Council requested the Acting Executive Commissioner of Emergency and Protective Services to report to the Toronto Community Council on the foregoing appeal, for deputations.

(Acting Executive Commissioner of Emergency and Protective Services - No Encl. - January 30, 1998)

(Clause No. 18(m), Report No. 1)

45. The Toronto Community Council had before it a communication (January 13, 1998) from the City Clerk respecting Bell Canada Telephone Booth Advertising, forwarding the action of the Urban Environment and Development Committee of January 12, 1998.

The Toronto Community Council also had before it the following:

- Clause No. 2 contained in Report No. 26 of the Executive Committee of the former City of Toronto, titled, "Advertising Signage on Outdoor Telephone Booths - Metropolitan Toronto Road Allowances", which was adopted, without amendment, by the former City Council of the City of Toronto on December 8, 1997;
- Communication (January 22, 1997) from the Assistant City Clerk, former City of Toronto.

The Toronto Community Council, on motion by Councillor Pantalone:

- (1) requested the Urban Environment and Development Committee to defer consideration of this matter to its subsequent meeting;

On motion by Councillor Bossons:

- (2) requested the Acting Executive Commissioner of Emergency and Protective Services to canvas the Community Councils for their positions;

On motion by Councillor Pantalone:

- (3) requested the Acting Executive Commissioner of Emergency and Protective Services to convene a meeting of staff from the former municipalities to prepare a comprehensive report with options for the consideration of the Urban Environment and Development Committee, and subsequently to City Council;

On motion by Councillor Adams:

- (4) deferred consideration of the following motion:

“That the Toronto Community Council affirm the position of the former City of Toronto that advertising signage on outdoor telephone booths on private property not be permitted, and forward that position to the Urban Environment and Development Committee”; and

- (5) forwarded the former City of Toronto’s position on this matter to the Urban Environment and Development Committee.

(Acting Executive Commissioner of Emergency and protective Services; Urban Environment and Development Committee - No Encl. - January 27, 1998)

(Clause No. 18(n), Report No. 1)

46. The Toronto Community Council allowed the introduction of a report (January 20, 1998) from the Commissioner of Urban Development Services, respecting Status of Bill C-9, The Canada Marine Act - Implications for the Port of Toronto.

The Toronto Community Council also had before it a communication (January 26, 1998) from Councillor Chow.

On motion by Councillor Chow, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998 that:

- (1) the Federal Government be advised of the Toronto Community Council’s position on Bill C-9, the Canada Marine Act;
- (2) the Senate Committee be notified of the Toronto Community Council’s position;
- (3) appropriate officials and Councillors from affected wards form a delegation to appear before the Senate Committee considering Bill C-9;
- (4) the Senate Committee be requested to hold hearings in Toronto on the proposed Canada Marine Act;
- (5) appropriate officials negotiate with the Federal Government on an alternative strategy for the administration of the Port and associated lands, beginning with an exemption from the proposed Canada Marine Act;

Toronto Community Council Minutes
Wednesday, January 21, 1998.

- (6) appropriate officials prepare a full inventory, maps and an estimated evaluation of the value of the Toronto Harbour Commission's land, and that this inventory and evaluation be made available to all Councillors as soon as possible;
- (7) the Chief Financial Officer and Treasurer report to the Toronto Community Council concerning the impact on the assets of the City of Toronto which would result from the federal takeover of the Toronto Harbour Commission lands; and
- (8) in the unfortunate event that the Bill C-9, the Canada Marine Act, is passed by the Senate, the Federal Government be requested to remove the provision which excludes elected Members of Council from serving on the new Port Authority.

The Toronto Community Council also:

- (1) reiterated its opposition to the federal takeover of the important waterfront land; and
- (2) referred this matter to the next meeting of the Toronto Community Council for depositions and directed that marina users and all interests on the waterfront be so advised.

(Toronto Community Council - No Encl. - January 27, 1998)

(Clause No. 16, Report No. 1)

- 47.** The Toronto Community Council allowed the introduction of a communication (January 21, 1998) from Lisa McGee, General Manager, The Bloor Yorkville Business Improvement Area respecting appointments to Board of Management of The Bloor-Yorkville Business Improvement Area (Midtown).

On motion by Councillor Adams, the Toronto Community Council recommended to City Council that the following be appointed to the Board of Management of the Bloor-Yorkville Business Improvement Area for a term of office expiring on May 31, 1999 and/or until their successors are appointed. Each of the named nominees meets the requirements of Section 220 of the Municipal Act, R.S.O. 1990, as amended:

Norman Bergstein, Barrister & Solicitor
Joel Carman, Over The Rainbow
Councillor Olivia Chow

Christena Chruszez, Dr. C. Chruszez & Assoc.
John Combs, John W. Combs Ltd. (Honorary (Non-Voting))
Gordon Dreger, L & A Developments
Kathleen Edmonds, Manulife Centre
Mary Gallagher, The Compleat Kitchen
David Hanna, TD Bank & Trust
Allan Hechtman, Winston & Holmes
Norma King-Wilson, Shoppe d'Or Limited
Samuel Kolber, Kornercolor
Barbara Kovacs, Tiffany & Co.
John Lettieri, Lettieri Espresso Bar & Cafe
Clare MacDonald, Bank of Nova Scotia
David Markowitz, David's Footwear
Laurance Rosen, Harry Rosen Inc.
Bob Saunderson, R.S. Saunderson Realty Corporation
Brian Stark, William Ashley China
Oriella Stillo, Accessity
Budd Sugarman, Budd Sugarman Interior Design
Klaus Tenter, Four Seasons Hotel
Leonard Tokey, Summer's Sweet Memories Inc.
Michele Triebsch, MT Hair Design Inc.

(Clause No. 3, Report No. 1)

48. The Toronto Community Council allowed the introduction of a communication (not dated) from Councillor Silva and Councillor Pantalone respecting revocation of liquor licence at 592 Queen Street West (Trinity-Niagara).

On motion by Councillor Silva, the Toronto Community Council recommended to City Council for its meeting to be held on February 4, 1998, adoption of the following motion:

WHEREAS the Ward Councillors and the Liquor Licence Board of Ontario ("the LLBO") have been advised by the police and the community of drunkenness, rowdiness and illegal activity associated with the premises at 592 Queen Street West (the F & R Restaurant); and

WHEREAS the Ward Councillors have now been advised that a hearing before the LLBO has been scheduled for Monday, January 26, 1998 to consider revocation of the liquor licence for the premises due to numerous incidents of service of intoxicated patrons and drunkenness contrary to the *Liquor Licence Act*; and

WHEREAS City staff have been advised that no public interest allegations shall be heard at the hearing scheduled for January 26, 1998; and

WHEREAS the community has expressed concerns that the premises shall, unless the licence is revoked, continue to contribute to disruptive and illegal activities in the area contrary to the public interest; and

WHEREAS subsection 15(1) of the *Liquor Licence Act* ("the Act") provides that a member or employee of the Liquor Licence Board of Ontario may direct that a proposal be issued to revoke or suspend the liquor licence for any ground under subsection 6(2) of the Act that would disentitle an applicant to a licence; and

WHEREAS subsection 6(2)(h) of the Act provides that an applicant is entitled to be issued a licence to sell liquor except if the licence is not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located; and

WHEREAS section 7.1 of Regulation 719 under the Act states that, in the absence of receiving submissions to the contrary, the Board shall consider a resolution of the council of the municipality, in which are located the premises for which a person holds a licence to sell liquor, as proof of the needs and wishes of the residents of a municipality for the purposes of clause 6(2)(h) of the Act; and

NOW THEREFORE BE IT RESOLVED:

- (1) That City Council advise the Liquor Licence Board of Ontario ("LLBO") that the liquor licence for the premises at 592 Queen Street West should be revoked as not being in the public interest having regard to the needs and wishes of the residents of the municipality.
- (2) That, in the event that the licence is not revoked as a result of the hearing on January 26, 1998, the City Solicitor be authorized to represent the City at any future public hearing scheduled by the LLBO to consider revocation on the grounds of public interest.
- (3) That the LLBO be requested to consult with the Ward Councillors to determine if the public hearing to consider revocation can be held in the evening and at an appropriate venue in the community to ensure maximum public participation.

The Toronto Community Council also requested the City Clerk to notify the LLBO, prior to the hearing of January 26, 1998, of the recommendations of the Toronto Community Council with respect to this matter.

(Clause No. 8, Report No. 1)

On motion by Councillors Rae, Adams, Bossons, Bussin, Chow, Fotinos, Johnston, Korwin-Kuczynski, Layton, McConnell, Miller, Pantalone, Silva and Walker, the Toronto Community Council thanked the Chair and Staff for their efforts in conducting the meeting.

The Toronto Community Council adjourned its meeting at 5:55 p.m.

Chair.