

**To Be Confirmed by the
Etobicoke York Community Council
on May 3, 2005**

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Etobicoke York Community Council

Meeting 3

Wednesday, March 30, 2005

The Etobicoke York Community Council met on Wednesday, March 30, 2005, in the Council Chambers, Etobicoke Civic Centre, 399 The West Mall, Toronto, at 9:35 a.m.

Attendance:

Members were present for some or all of the time periods indicated.

	9:35 a.m. to 12:50 p.m.	2:10 p.m. to 6:00 p.m.	6:45 p.m. to 8:15 p.m.
Councillor Frank Di Giorgio	X	X	X
Councillor Rob Ford (Vice-Chair)	X	X	X
Councillor Mark Grimes	X	X	X
Councillor Suzan Hall (Chair)	X	X	X
Councillor Doug Holyday	X	X	X
Councillor Gloria Lindsay Luby	X	X	X
Councillor Giorgio Mammoliti	X	X	X
Councillor Peter Milczyn	X	X	X
Councillor Frances Nunziata	X	X	X
Councillor Cesar Palacio	X	X	X
Councillor Bill Saundercook	X	X	-

Councillor Hall in the Chair.

Confirmation of Minutes

On motion by Councillor Saundercook, the Minutes of the meeting of the Etobicoke York Community Council held on February 8, 2005, were confirmed.

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On motion by Councillor Lindsay Luby, the Etobicoke York Community Council concurred in the introduction of new communications/staff reports included on the Added Starter Agenda as Items 62 to 67.

Councillor Mammoliti moved that if the second holder of an item is not present at the time the matter is being dealt with, that consideration of the item not be delayed. **(Motion Lost)**

Councillor Ford moved that, if the second holder of an item is not present at the time the matter is being dealt, a three minute grace period allowed. **(Motion Lost)**

Councillor Mammoliti moved that in the event the agenda is not completed, that the remaining items be put over to the next regular meeting. **(Motion Lost)**

**3.1 Draft By-law to Name Private Lane at 120 Eringate Drive as “Ramage Lane”
(Ward 3 – Etobicoke Centre)**

The Etobicoke York Community Council considered a draft by-law from the City Solicitor. Ref. Clause 14 of Etobicoke York Community Council Report 6, which was adopted, without amendment, by City Council on July 20, 21 and 22, 2004.

The Etobicoke York Community Council held a public meeting and notice, in accordance with the Municipal Act, 2001, of the proposed enactment of the draft by-law was posted on the Public Notices page of the City’s internet website immediately preceding the Etobicoke York Community Council meeting held on March 30, 2005. No one addressed the Etobicoke York Community Council.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council that a by-law in the form of the draft by-law be enacted, and that the necessary Bill be introduced in Council to give effect thereto.

(Report 3, Clause 1)

**3.2 Draft By-law to Name Private Lane at 35 Fieldway Road as “Shires Lane”
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a draft by-law from the City Solicitor. Ref. Clause 8 of Etobicoke York Community Council Report 5, which was adopted, without amendment, by City Council on June 22, 23 and 25, 2004.

The Etobicoke York Community Council held a public meeting and notice, in accordance with the Municipal Act, 2001, of the proposed enactment of the draft by-law was posted on the Public Notices page of the City's internet website immediately preceding the Etobicoke York Community Council meeting held on March 30, 2005. No one addressed the Etobicoke York Community Council.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council that a by-law in the form of the draft by-law be enacted, and that the necessary Bill be introduced in Council to give effect thereto.

(Report 3, Clause 2)

3.3 Draft By-law to Name Private Lane at 35 Fieldway Road, an Extension of Van Dusen Boulevard, as "Van Dusen Boulevard" (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a draft by-law from the City Solicitor. Ref. Clause 21 of Etobicoke York Community Council Report 8, which was adopted, without amendment, by City Council on October 26, 27 and 28, 2004.

The Etobicoke York Community Council held a public meeting and notice, in accordance with the Municipal Act, 2001, of the proposed enactment of the draft by-law was posted on the Public Notices page of the City's internet website immediately preceding the Etobicoke York Community Council meeting held on March 30, 2005. No one addressed the Etobicoke York Community Council.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council that a by-law in the form of the draft by-law be enacted, and that the necessary Bill be introduced in Council to give effect thereto.

(Report 3, Clause 3)

3.4 Application for Outdoor Marketing Display at 4917 Dundas Street West (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 15, 2005) from the District Manager, Municipal Licensing and Standards, providing the history and current status of the subject property vis-à-vis building and property standards.

Recommendation:

It is recommended that this report be received for information only.

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The Etobicoke York Community Council also considered a report (December 17, 2004) from the District Manager, Municipal Licensing and Standards, regarding an application from Kea Kim, operating as “Shopper’s Convenience”, to lease part of the municipal boulevard for the purpose of displaying merchandise at 4917 Dundas Street West.

Recommendations:

It is recommended that this application to lease 7.47 square metres (1.00 metres by 7.47 metres) of the municipal boulevard, located at the front of 4917 Dundas Street West be approved, subject to the applicant fulfilling the following conditions upon approval:

- (1) enter into an Encroachment Agreement with the City of Toronto;
- (2) pay an annual fee to the City of Toronto for use of the road allowance in the amount of \$21.91 per square metre. Fee is subject to change;
- (3) provide a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount of two million dollars (\$2,000,000.00), or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy; and
- (4) applicant must conduct business in compliance with the requirements of the former City of Toronto Municipal Code, Chapter 313, as amended.

The Etobicoke York Community Council also considered a communication (March 21, 2005) from John Alkins, Chairman, Village of Islington BIA.

Kea Kim appeared before the Etobicoke York Community Council in connection with this matter.

On motion by Councillor Milczyn, the Etobicoke York Community Council:

- (1) recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (December 17, 2004) from the District Manager, Municipal Licensing and Standards, subject to:
 - (a) the application to lease being for the term of one (1) year; and
 - (b) the applicant being required to remove all garbage, debris, litter and posters on the property and to maintain the property in a clean condition; and

- (2) requested the District Manager, Municipal Licensing and Standards, to monitor the property and to report back at the end of the one (1) year lease period on whether there were any property standards violations, building code violations, operating without a business licence, or any other issues.

(Report 3, Clause 4)

**3.5 Limiting Distance Agreement – High Park - Adjacent to 383 Ellis Park Road
(Ward 13 – Parkdale-High Park)**

The Etobicoke York Community Council considered a report (December 17, 2004) from the Commissioner, Corporate Services.

Recommendations:

It is recommended that:

- (1) the City enter into a Limiting Distance Agreement with the property owner of 383 Ellis Park Road for a portion of High Park for the amount of \$60,000.00 and subject to the property owner paying an administration fee of \$600.00, plus any applicable GST, and on such terms and conditions, as are satisfactory to the Commissioner of Economic Development, Culture and Tourism, in a form and content acceptable to the City Solicitor; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Saundercook, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (December 17, 2004) from the Commissioner, Corporate Services.

(Report 3, Clause 5)

3.6 Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code - 1500 Islington Avenue (Ward 4 – Etobicoke Centre)

The Etobicoke York Community Council considered a report (January 6, 2005) from the Director of Building and Deputy Chief Building Official regarding a request by Dan Bovair, Jones Neon Displays Limited, on behalf of Susan Dawson, Property Manager for L.F. Corley Incorporated, for approval of variance from Chapter 215, Signs,

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of the former City of Etobicoke Municipal Code to permit the removal of existing two signs to be replaced with one illuminated first party canopy sign at 1500 Islington Avenue.

Recommendation:

It is recommended that the request for variances be refused for the reasons outlined in this report.

The Etobicoke York Community Council also considered a report (March 29, 2005) from the Director of Building and Deputy Chief Building Official.

Recommendations:

It is recommended that:

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

Michael Foley, Michael Foley and Associates, appeared before the Etobicoke York Community Council on February 8, 2005, in connection with this matter.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption the staff recommendations in the Recommendations Section of the report (March 29, 2005) from the Director of Building and Deputy Chief Building Official.

(Report 3, Clause 6)

**3.7. Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code - 1580 The Queensway (CIBC)
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered Clause 13 of Report 2 of the Etobicoke York Community Council, titled “Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code – 1580 The Queensway (CIBC) (Ward 5 - Etobicoke-Lakeshore)”, which City Council, on February 16, 2005, referred back to the Etobicoke York Community Council for further consideration at its meeting on March 30, 2005, to allow for further recommendations from the Commissioner of Urban Development Services with respect to modifications to the proposed signs, in order to reduce the extent of variance from the provisions of the

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by-law based on discussion between the applicant and staff with respect to the potential impacts of the signs on the community.

The Etobicoke York Community Council also considered a report (March 23, 2005) from the Director of Building and Deputy Chief Building Official, regarding a request by Sophia McLean, Daynite Signs Canada Inc., on behalf of M. H. Janzen Real Estate, for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit first party illuminated fascia signs for CIBC and canopy sign band for drive-through and 2 Incidental Ground Signs providing direction at 1580 The Queensway.

Recommendation:

It is recommended that:

- (1) this report be received for information; and
- (2) the Director and Deputy Chief Building Official, Building Division, West District, report to a future meeting of the Etobicoke Community Council once Building Division staff and Day Nite Neon Signs Canada Inc. have met to discuss modifications to the signs in order to reduce the extent of the variances.

On motion by Councillor Milczyn, the Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (March 23, 2005) from the Director of Building and Deputy Chief Building Official.

(Sent to: Sophia McLean, Daynite Signs Canada Inc.; c Director and Deputy Chief Building Official – April 6, 2005)

(Report 3, Clause 59(a))

3.8 Information Report and Final Report – Application to Amend the Etobicoke Zoning Code; Sky Top Developments Ltd.; 1276 Islington Avenue (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 4, 2005) from the Acting Director, Community Planning, West District, providing additional information regarding a site meeting and consultation process, and recommending that Council adopt the staff report of June 7, 2002, to amend the Etobicoke Zoning Code to permit the development of a 13-storey, 118 unit condominium apartment building which is to be added to the property at 1276 Islington Avenue.

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Recommendations:

It is recommended that:

- (1) this report be received for information; and
- (2) Community Council adopt the recommendations of the staff report dated June 7, 2002.

The Etobicoke York Community Council also considered a report (June 7, 2002) from the Director, Community Planning, West District, reviewing and recommending approval of an application to amend the Etobicoke Zoning Code to permit the development of a 13-storey, 118 unit condominium apartment building to be added to the property at 1276 Islington Avenue.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning Code for 1276 Islington Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (3) before introducing the necessary bills to City Council for enactment, require the owner to enter into a Section 37 Agreement with the City regarding the provision of public benefits as set out in Attachment No. 5 of this report in exchange for the increase in permitted building density on the property and that the Commissioner of Urban Development Services be authorized to report to Community Council or directly to City Council if necessary with the details of the Section 37 Agreement.

The Etobicoke York Community Council also considered the following communications:

- (i) (March 8, 2005) from Glendene Tutton;
- (ii) (March 9, 2005) from Mary Anne Shaw, Shaw Developments; and
- (iii) Extract of Item (h) of Clause 24 in Report 11 of the Etobicoke Community Council meeting held on September 18, 2002.

The Etobicoke Community Council commenced a statutory public meeting on September 18, 2002, and notice was given in accordance with the *Planning Act*.

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The following appeared before the Etobicoke Community Council on September 18, 2002:

- Murray Palmer, Turner Fleischer Architects Inc., on behalf of the applicant;
- Charles O'Hara, Sky-Top Developments Ltd.;
- Michael Flynn, Agent for Tenants of 1276 Islington Avenue, and filed a submission;
- Saji Ashry;
- John Long;
- Ken Dean;
- Joyce Maxey; and
- H. Brandao.

The Etobicoke York Community Council continued a statutory public meeting on March 30, 2005, and notice was given in accordance with the *Planning Act*.

The following appeared before the Etobicoke York Community Council on March 30, 2005:

- Saji Ashry; and filed a submission
- Somia Ashry; and
- Cynthia MacDougall, on behalf of the applicant.

On motion by Councillor Milczyn, the Etobicoke York Community Council:

- (1) adjourned its public meeting under the *Planning Act* until May 3, 2005; and
- (2) requested the Acting Director, Community Planning, West District, to report on an enforcement mechanism and security that is to be secured in the Section 37 Agreement, to protect tenants from "above the guideline" rent increases.

(Sent to: Commissioner, Urban Development Services; c. Interested Persons – April 6, 2005)

(Report 3, Clause 59(b))

**3.9 Final Report – Official Plan Amendment and Rezoning Application
Applicant: Morguard Investments; Architect: Petroff Partnership
Finch Avenue West (Ward 1 – Etobicoke North)**

The Etobicoke York Community Council considered a report (March 4, 2005) from the Acting Director, Community Planning, West District, reviewing and recommending approval of an application to amend the Official Plan and Zoning By-law for a commercial development at the north-east corner of Albion Road and Finch Avenue.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former City of Etobicoke substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5;
- (2) amend the Zoning Code for the former City of Etobicoke 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) prior to adoption of the By-law, satisfy the Works and Emergency Services Department with respect to access and related road design, as well as street lighting requirements.

The Etobicoke York Community Council also considered the following communications:

- (i) (March 29, 2005) from Joe Carito, President, Etobicoke North Residents' Inc.; and
- (ii) (March 29, 2005) from Stefan Wisnowski, Director of Planning, RioCan.

The Etobicoke York Community Council held a statutory public meeting on March 30, 2005, and notice was given in accordance with the *Planning Act*.

Alex Rishia appeared before the Etobicoke York Community Council in connection with this matter.

Councillor Hall appointed Councillor Ford Acting Chair and vacated the Chair.

On motion by Councillor Hall, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 4, 2005) from the Acting Director, Community Planning, West District.

Councillor Hall resumed the Chair.

(Report 3, Clause 7)

**3.10 Final Report – Commercial Outdoor Roof Top Patio Study
(Ward 5 – Etobicoke Lakeshore)**

The Etobicoke York Community Council considered a report (March 11, 2005) from the Acting Director, Community Planning, West District, recommending an area specific set of regulations to be placed in the Etobicoke Zoning Code for commercial outdoor roof top patios on both sides of Bloor Street West between Thompson Avenue/Montgomery Road and Prince Edward Drive.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning Code for the former City of Etobicoke substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

The Etobicoke York Community Council also considered the following communications:

- (i) (March 25, 2005) from Mike and Lynn Cooke;
- (ii) (March 29, 2005) from Sam and Tracey Pappas; and
- (iii) (March 30, 2005) from Robert Statton.

The Etobicoke York Community Council held a statutory public meeting on March 30, 2005, and notice was given in accordance with the *Planning Act*.

The following appeared before the Etobicoke York Community Council in connection with this matter:

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- John Anthony;
- Rebecca Hilton;
- Judith Rade;
- Robert Statton;
- Alex Shenfield; and
- Ted Wooding.

A. On motion by Councillor Milczyn, the Etobicoke York Community Council:

- (1) recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 11, 2005) from the Acting Director, Community Planning, West District; and
- (2) requested the Commissioner, Urban Development Services, to report directly to the April 12, 2005 meeting of City Council on:
 - (a) whether rooftop patios should be subject to Site Plan control;
 - (b) what standard for acoustical wall should be applied; and
 - (c) submit recommendations on a broader or a more inclusive set of restrictions included in item 1. O. (e) in the draft by-law, i.e.:
 - “(e) not include any area that is used for any of the following purposes:
 - (i) dance floor,
 - (ii) stage,
 - (iii) disc jockey,
 - (iv) television,
 - (v) an area used for the purposes of recreational activities, or
 - (vi) any other entertainment;”.

B. On motion by Councillor Grimes, the Etobicoke York Community Council further requested:

- (1) the Commissioner, Urban Development Services, to undertake a study on restricting rooftop patios throughout all of the former City of Etobicoke, in a manner consistent with this by-law; and

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- (2) the Commissioner, Urban Development Services and the Commissioner, Works and Emergency Services, to report on:
 - (a) annually reviewing all encroachment agreements for open patios on road allowances; and
 - (b) imposing restrictions on new restaurant licence applications where there is a patio licence application.

(Report 3, Clause 8)

**3.11 Final Report – Rezoning Application; Applicant: Greg Bettencourt, Bettencourt Designs Ltd.; Architect: Greg Bettencourt
82 Daniels Street (Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (March 11, 2005) from the Acting Director, Community Planning, West District, reviewing and recommending approval of an application to amend the Etobicoke Zoning Code to permit six single detached dwellings on a private road at 82 Daniels Street.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning Code for the City of Etobicoke substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;
- (3) before introducing the necessary bills to City Council for enactment, require the owner to obtain Site Plan Approval pursuant to Section 41 of the *Planning Act*; and
- (4) before introducing the necessary Bills to City Council for enactment, require the applicant to provide adequate financial security to Works and Emergency Services for the full cost of constructing a public storm sewer along the Daniels Street frontage of the site.

The Etobicoke York Community Council also considered the following communications:

- (i) (March 14, 2005) from Sergiy Kabuzan, Nataliya Kabuzan and Anton Kabuzan;

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- (ii) (March 29, 2005) from J.R. Hergel and Anita Crux; and
- (iii) (March 29, 2005) from Joe and Liz Sabatino.

The Etobicoke York Community Council held a statutory public meeting on March 30, 2005, and notice was given in accordance with the *Planning Act*.

The following appeared before the Etobicoke York Community Council in connection with this matter:

- Sergiy Kabuzan;
- Paul Rousset;
- Greg Bettencourt, Dupont Victorian Homes Ltd.;
- Irene Foga;
- Philip Muscat; and
- Nancy Summers.

On motion by Councillor Milczyn, the Etobicoke York Community Council:

- (1) recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 11, 2005) from the Acting Director, Community Planning, West District, subject to the applicant:
 - (a) entering into a construction management plan to control noise, dust, parking, deliveries and other matters of concern to area residents;
 - (b) installing appropriate fencing and landscaping along the perimeter of the property to be decided in consultation with the abutting owners; and
 - (c) ensuring that all site drainage is contained within the site; and
- (2) requested the Commissioner, Works and Emergency Services, to investigate and report on the feasibility of installing all-way stop controls at Moynes Avenue and Daniels Street.

(Report 3, Clause 9)

3.12 Final Report – West District Application - Proposed Zoning Amendments for Coulter Avenue/King Street Area and King Street Crescent/Little Avenue Study Area (Ward 11 – York South-Weston)

The Etobicoke York Community Council considered a final report (March 11, 2005) from the Acting Director, Community Planning, West District, recommending zoning amendments for the Coulter Avenue/King Street area and King Street Crescent/Little Avenue area that would maintain and promote compatible development in keeping with the existing character of the area; advising that Interim Control By-law No. 189-2003, as amended, which currently regulates development in the area, expires April 14, 2005.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning By-law No. 1-83 for the former City of York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

The Etobicoke York Community Council also considered a supplementary report (March 29, 2005) from the Acting Director, Community Planning, West District, recommending a minor modification to the draft Zoning By-law Amendment.

Recommendation:

It is recommended that City Council:

- (1) amend the draft Zoning By-law Amendment attached as Attachment No. 2 to the final report dated March 11, 2005, from the Acting Director, Community Planning, West District, by adding the words “has a ceiling with habitable space above and/or direct access to the habitable portion of the building,” following the words “building that” where it appears in Section 2, Clause (1) of the draft By-law; and
- (2) deem that no further public meeting is required in respect of the change to the draft Zoning By-law Amendment.

The Etobicoke York Community Council also considered the following communications:

- (i) (March 23, 2005) from Randy Faulds; and
- (ii) (March 30, 2005) from Randy Faulds.

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The Etobicoke York Community Council held a statutory public meeting on March 30, 2005, and notice was given in accordance with the *Planning Act*.

The following appeared before the Etobicoke York Community Council in connection with this matter:

- Rob Draper, President, Weston Residents and Ratepayers' Association;
- Daniel Joyce; and
- Elaine Heaton.

On motion by Councillor Nunziata, the Etobicoke York Community Council recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the supplementary report (March 29, 2005) from the Acting Director, Community Planning, West District; and
- (2) adopt the staff recommendations in the Recommendations Section of the final report (March 11, 2005) from the Acting Director, Community Planning, West District, subject to the following amendments to the Draft Zoning By-law:
 - (a) SECTION 16, (2)(c) being amended to read:

“SECTION 16 AMENDED:

(2)(c) the maximum height shall be 11 metres with not more than 3 storeys, save and except for the lands in the block contained with the boundary of Cross Street, Church Street, King George Road and Coulter Avenue, in which case the maximum height shall be 9 metres, with not more than 3 storeys;”
 - (b) all references to “9.15 metres” be changed to “10 metres” and “285 m²” be changed to “300 m²”, wherever they appear in the draft by-law; and
 - (c) SCHEDULE ‘B’ being deleted, and SCHEDULE ‘C’ being renumbered as SCHEDULE ‘B’.

(Report 3, Clause 10)

**3.13 Payment-in-lieu of Parking – 3329 Bloor Street West
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (February 22, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) Council exempt the applicant at 3329 Bloor Street West from the Etobicoke Zoning Code parking requirement of four parking stalls, subject to a \$10,000.00 payment-in-lieu of parking;
- (2) the applicant enter into a payment-in-lieu of parking agreement with the municipality, to the satisfaction of the City Solicitor; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

Richard G. Pyne appeared before the Etobicoke York Community Council in connection with this matter.

- A. Councillor Saundercook moved that the Etobicoke York Community Council defer consideration of this matter to its meeting on May 3, 2005. **(Motion Lost)**
- B. On motion by Councillor Milczyn, the Etobicoke York Community Council recommended that City Council:
 - (1) exempt the applicant at 3329 Bloor Street West from the Etobicoke Zoning Code parking requirement of two parking stalls, subject to a \$5,000.00 payment-in-lieu of parking;
 - (2) grandfather the additional two parking stalls which have been in existence for many years; and
 - (3) adopt staff recommendations (2) and (3) in the Recommendations Section of the report (February 22, 2005) from the Director, Transportation Services, West District.
- C. Councillor Lindsay Luby moved that the Etobicoke York Community Council recommend to City Council adoption of the staff recommendations in the Recommendations Section of the

report (February 22, 2005) from the Director, Transportation Services, West District. **(Not put due to the action taken on Motion B.)**

(Report 3, Clause 11)

3.14 Request for Exemption from City of Toronto Municipal Code, Chapter 447, Fences 185 Lambton Avenue (Ward 11- York South-Weston)

The Etobicoke York Community Council considered a report (March 10, 2005) from the Manager, West District, Municipal Licensing and Standards, regarding an application submitted by the owner for an exemption to the provisions of Chapter 447 of the City of Toronto Municipal Code, Fences, to permit an existing fence with a height ranging from 1.90 metres to 2.21 metres to remain at the rear yard of the property at 185 Lambton Avenue.

Recommendation:

It is recommended that the application be refused.

Robert Markovski appeared before the Etobicoke York Community Council in connection with this matter.

On motion by Councillor Nunziata, the Etobicoke York Community Council recommended to City Council that the report from the Manager, Municipal Licensing and Standards, West District, be received.

(Report 3, Clause 12)

3.15 Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code – 125 The Queensway (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 15, 2005) from the Director of Building and Deputy Chief Building Official, regarding a request by Stan Gilas, The Gryph Group, on behalf of 125 QW1 Inc. and 125 QW2 Inc., for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to permit a first party ground sign on the southeast corner of the property at 125 The Queensway.

Recommendations:

It is recommended that the request for variances be refused for the reasons outlined in this report.

Jason Park, Goodman and Carr LLP appeared before the Etobicoke York Community Council in connection with the foregoing matter.

On motion by Councillor Milczyn, the Etobicoke York Community Council recommended to City Council that the application for a variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to permit a first party ground sign, be approved, subject to the height of the sign being reduced to 11 metres, the maximum allowed under the Sign Code.

(Report 3, Clause 13)

3.16 6 Sidford Court, Former City of York - Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences (Ward 13 – Parkdale-High Park)

The Etobicoke York Community Council considered a report (March 15, 2005) from the Manager, West District, Municipal Licensing and Standards, regarding an application submitted by the owner for an exemption to Toronto Municipal Code, Chapter 447, Fences, to permit a close board swimming pool fence measuring 1.8 metres in height at the flankage yard to be constructed on site.

Recommendation:

It is recommended that the application be refused.

The following appeared before the Etobicoke York Community Council in connection with this matter:

- Maureen Buckley;
- Steve Kvasnic; and
- Frank Gorham.

On motion by Councillor Saundercook, the Etobicoke York Community Council recommended that City Council approve the application for an exemption to Toronto Municipal Code, Chapter 447, Fences, to permit a close board swimming pool fence measuring 1.8 metres in height at the flankage yard, to be constructed at 6 Sidford Court.

(Report 3, Clause 14)

**3.17 6 Sidford Court, Former City of York
Application for an Existing Swimming Pool Fence to Encroach onto the Street
Allowance of Sunvalley Drive, flanking Sidford Court
(Ward 13 – Parkdale-High Park)**

The Etobicoke York Community Council considered a report (March 15, 2005) from the Manager, West District, Municipal Licensing and Standards, regarding an application submitted by the owners of 6 Sidford Court to lease 32.7 square metres (approximately 10.10 metres x 3.23 metres) of municipal boulevard flankage, on Sunvalley Drive, for the purpose of maintaining an existing swimming pool fence.

Recommendation:

It is recommended the application be refused based on the following reasons:

- (1) there is no encroachment agreement in place for the existing swimming pool fence,
- (2) the fence is not in compliance with Chapter 447 of the Toronto Municipal Code, fences, and
- (3) a building permit has not been obtained for the fence enclosure.

The Etobicoke York Community Council also considered the following communications:

- (i) (February 15, 2005) addressed to Municipal Licensing and Standards, from Kurt and Lynn Haderlein;
- (ii) (February 15, 2005) addressed to Municipal Licensing and Standards, from Valerie and Frank Gorham; and
- (iii) (undated) addressed to Municipal Licensing and Standards, from Claude Cormier and Marianne Vanderlinden.

The following appeared before the Etobicoke York Community Council in connection with this matter:

- Maureen Buckley;
- Steve Kvasnic; and
- Frank Gorham.

- A. Councillor Lindsay Luby moved that the Etobicoke York Community Council defer consideration of this matter to its meeting on May 3, 2005. **(Motion Lost)**

- B. On motion by Councillor Saundercook, the Etobicoke York Community Council recommended to City Council that the application for the encroachment of the swimming pool fence onto the street allowance be approved, subject to the homeowners complying with the following:
- (1) obtaining an exemption from Toronto Municipal Code, Chapter, 447, Fences, to permit the swimming pool fence at the flankage yard to a minimum required height of 1.2 metres;
 - (2) applying for and obtaining a permit from the Building Division for the swimming pool fence, with all construction to be carried out in accordance with the regulation set out in Toronto Municipal Code, Chapter 447, Fences;
 - (3) entering into an Encroachment Agreement with the City of Toronto;
 - (4) paying an annual fee to the City of Toronto for the use of the street allowance in the amount of \$25.00, plus \$5.50 per square metre. Fees are subject to change; and
 - (5) providing a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount of two million dollars (\$2,000,000.00), or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy.

(Report 3, Clause 15)

3.18 Reconstruction of Royal York Road Phase IV:

- (1) Undergrounding of overhead hydro plant to protect tree canopy; and**
- (2) Road width between Mimico Creek and Usher Avenue**
(Ward 5 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 14, 2005) from the Director, Transportation Services, West District, responding to a request from the Etobicoke York Community Council to identify costs associated with the burying of high voltage wires or using low clearance high voltage electrical wires along Royal York Road, between Mimico Creek and Dundas Street West, in order to protect the tree canopy in the Royal York Phase IV Reconstruction area.

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Recommendation:

It is recommended that this report be received for information.

The following were in attendance at the Etobicoke York Community Council in connection with this matter:

- Doug McIntyre;
- Maria Bujak;
- Peter Literland; and also filed a submission;
- Andrew Phillips;
- Crawford Murphy;
- Rose Dimasi; and
- Rhona Swarbrick.

On motion by Councillor Milczyn, the Etobicoke York Community Council:

- (1) received the report (March 14, 2005) from the Director, Transportation Services, West District; and
- (2) with respect to the issue of the proposed width of the reconstructed Royal York Road between Mimico Creek and Usher Avenue, requested the Commissioner of Works and Emergency Services to report to the April 27, 2005 meeting of the Works Committee:
 - (a) specifically addressing the difference between the staff recommended 9.4m cross section and the community endorsed 9.1m cross section; and
 - (b) no tenders being issued for the reconstruction of Royal York Road Phase IV until City Council determines the appropriate road width.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council requested the Commissioner of Works and Emergency Services to report to the Works Committee on the impact on the trees by burying the hydro wires on Royal York Road from Bloor Street West to Dundas Street West, and that any future reports pertaining to trees and road reconstruction be prepared in consultation with the Forestry Department.

(Note: Motion A. 2(a) and (b) respecting the proposed width of the reconstructed Royal York Road from Mimico Creek to Usher Avenue moved by Councillor Milczyn, was ruled out of order by the Chair, since Works and Emergency Services staff have advised that their report resulting from community consultation meetings will be

submitted to the Works Committee, and that the interested persons on file were not notified that the matter was being considered at this meeting.

Councillor Milczyn challenged the ruling of the Chair.

A vote upholding the ruling of the Chair was lost.)

(Sent to: Commissioner, Works and Emergency Services; c. Interested Persons – April 6, 2005)

(Report 3, Clause 39(c))

**3.19 Thistleton Ratepayers Association, Village of Thistleton Community
Identification Sign, Southeast Corner of the Albion/Islington Avenue Intersection
(Ward 1 – Etobicoke North)**

The Etobicoke York Community Council considered a report (February 25, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) Etobicoke York Community Council approves the request from the Thistleton Ratepayers Association to install a community identification sign commemorating the historic “Village of Thistleton”;
- (2) Etobicoke York Community Council limit signage identifying the “Village of Thistleton” to a single sign, situated within the boulevard area at the southeast corner of the Albion Road/Islington Avenue intersection that is designed, located and installed to the satisfaction of the Director, Transportation Services, West District;
- (3) as required by Section 215-31 of the Etobicoke Municipal Code, the Thistleton Ratepayers Association pay an application fee of \$75.00;
- (4) the Thistleton Ratepayers Association is responsible for all existing and future costs associated with sign maintenance, manufacture and installation; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action, to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 25, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 16)

3.20 Amendments to the Stopping Regulations and Relocation of the School Bus Loading Zone on Silverstone Drive (Ward 1 – Etobicoke North)

The Etobicoke York Community Council considered a report (February 15, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the school bus loading zone currently located on the east side of Silverstone Drive from a point 78.0 metres north of Avening Drive to a point 46.0 metres north thereof be rescinded;
- (2) a school bus loading zone on the east side of Silverstone Drive from a point 15.0 metres north of Avening Drive to a point 67.0 metres north thereof be enacted;
- (3) the “No Stopping, 8:00 a.m. to 5:00 p.m. Monday to Friday” regulation on both sides of Silverstone Drive between a point 117.0 metres north of Finch Avenue West and a point 127.0 metres north thereof be rescinded;
- (4) a “No Stopping, 8:00 a.m. to 5:00 p.m. Monday to Friday” regulation on the west side of Silverstone Drive between a point 117.0 metres north of Finch Avenue West and a point 127.0 metres north thereof be enacted; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 15, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 17)

**3.21 Boulevard Parking Agreement – Pizza Pizza Ltd. - 1045 Albion Road
(Ward 1 – Etobicoke North)**

The Etobicoke York Community Council considered a report (February 22, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) Etobicoke York Community Council allow the applicant to maintain four vehicle parking stalls within the boulevard areas of Albion Road and Islington Avenue;
- (2) the applicant enter into a boulevard parking agreement with the municipality;
- (3) the four boulevard parking stalls are for use by the applicant's employees and visitors, and cannot be loaned, leased, rented or transferred;
- (4) the applicant, at their expense, register the boulevard parking agreement on-title to the satisfaction of the City Solicitor;
- (5) the applicant, at their expense, shall individually sign each boulevard parking stall to the satisfaction of the Director, Transportation Service Division, West District; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 22, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 18)

3.22 Proposed Installation of Traffic Control Signals - Queens Plate Drive and Janda Court/Woodbine Centre Driveway (Ward 2 – Etobicoke North)

The Etobicoke York Community Council considered a report (February 4, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) traffic control signals be installed at the intersection of Queens Plate Drive and Janda Court/Woodbine Centre driveway as the signal warrant requirements are achieved; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Ford, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 4, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 19)

3.23 Reduction of Speed Limit from 50 km/h to 40 km/h on Waterford Drive (Ward 4 – Etobicoke Centre)

The Etobicoke York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the speed limit on Waterford Drive, between Wincott Drive and Holgate Street, be reduced from 50 km/h to 40 km/h as the requirements of the 40 km/h Speed Limit Warrant are achieved; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff

recommendations in the Recommendations Section of the report (February 11, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 20)

3.24 Amendment to the School Bus Loading Zone and Parking Regulations on Sun Row Drive and Norby Crescent (Ward 4 – Etobicoke Centre)

The Etobicoke York Community Council considered a report (February 14, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the school bus loading zone by-law on the east side of Sun Row Drive from a point 15.0 metres north of Norby Crescent to a point 40.0 metres north thereof be rescinded;
- (2) a school bus loading zone by-law on the north side of Norby Crescent from a point 15.0 metres east of Sun Row Drive to a point 60.0 metres east thereof be enacted;
- (3) the “No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday” by-law on the east side of Sun Row Drive from a point 55.0 metres north of Norby Crescent to a point 52.0 metres north thereof be rescinded;
- (4) a “No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday” by-law on the east side of Sun Row Drive from Norby Crescent to a point 122.0 metres north thereof be enacted;
- (5) the “10 Minute Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday” by-law on the east side of Sun Row Drive from a point 107.0 metres north of Norby Crescent to a point 46.0 metres north thereof be rescinded;
- (6) a U-turn prohibition be installed for northbound and southbound traffic on Sun Row Drive between Brook Tree Crescent and Norby Crescent; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 14, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 21)

3.25 Proposed Installation of Traffic Control Signals - Martin Grove Road and Longbourne Drive (Ward 4 – Etobicoke Centre)

The Etobicoke York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) traffic control signals be installed at the intersection of Martin Grove Road and Longbourne Drive; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 11, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 22)

3.26 Proposed Amendments to the Definition of a Heavy Truck in the Etobicoke Municipal Code to Include a Full Sized School Bus (Wards 1 and 2 – Etobicoke North, Wards 3 and 4 – Etobicoke Centre and Wards 5 and 6 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (February 24, 2005) from the Director, Transportation Services, West District.

Recommendations:

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It is recommended that:

- (1) Chapter 240, Traffic, of the Municipal Code of the former City of Etobicoke be amended by deleting the definition of "Heavy Truck" from Subsection 240-1A and substituting therefor the following definition of "Heavy Truck":

“HEAVY TRUCK - A commercial vehicle having a weight, when unloaded, of three tonnes or more or, when loaded, of five tonnes or more, and includes a school bus longer than 8 metres and a road building machine, but does not include a passenger vehicle, an ambulance or any vehicle of a police or fire department.”;
and

- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 24, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 23)

**3.27 Temporary Lane Closing on Public Highways Adjoining 3391 Bloor Street West
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (March 14, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the first public lane south of Bloor Street West, between Islington Avenue and Clissold Road, be temporarily closed to both vehicular and pedestrian traffic due to construction of the proposed development at 3391 Bloor Street West for a period of 24 consecutive months, commencing April 15, 2005;
- (2) authority be delegated to the Director, Transportation Services Division, West District, Works and Emergency Services Department, to close temporarily to vehicular traffic during the construction of the proposed development at 3391 Bloor Street West:

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- (a) the right-turn storage lane on the south side of Bloor Street West between Islington Avenue and Clissold Road, or any portion thereof;
- (b) the west curb lane of Islington Avenue between Bloor Street West and the south limit of the first public lane south of Bloor Street West, or any portion thereof; and
- (c) the east curb lane of Clissold Road between Bloor Street West and the south limit of the first public lane south of Bloor Street West, or any portion thereof;

for periods up to and including twenty-four (24) months commencing no earlier than April 15, 2005, any such closing to last no longer than April 15, 2007, and on condition that before any such temporary lane and/or road closure, the owner of the property at 3391 Bloor Street West will, to the satisfaction of the Director, Transportation Services Division - West District:

- (i) provide proof that the proposed temporary lane and/or road closing(s) on Islington Avenue and/or Bloor Street West comply with the requirements of the Toronto Transit Commission; and
 - (ii) provide traffic management plans for the proposed temporary lane and/or road closing(s);
- (3) the owner of the property at 3391 Bloor Street West is responsible for all costs associated with these lane and road closures, including any claims arising from such lane and road closure(s), and permanently restoring the affected sections of road and boulevard;
 - (4) before reopening the existing public lane between Islington Avenue and Clissold Road, the owner of the property at 3391 Bloor Street West must reconstruct the full width of the entire lane;
 - (5) these conditions are completed at no cost to the City and to the satisfaction of the Director, Transportation Services Division - West District; and
 - (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Etobicoke York Community Council also considered a communication (March 23, 2005) from Nathalie Richard.

On motion by Councillor Milczyn, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the

Recommendations Section of the report (March 14, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 24)

3.28. Request for Installation of an All-way Stop Control at the Intersection of Grand Avenue and Manitoba Street (Ward 6 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 1, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) an all-way stop control be installed at the intersection of Grand Avenue and Manitoba Street as the warrant requirements are achieved; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Grimes, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 1, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 25)

3.29 Amendment of the School Bus Loading Zone on Weston Road in the Vicinity of St. Jude Catholic School (Ward 7 – York West)

The Etobicoke York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the school bus loading zone currently located on the east side of Weston Road from a point 13.0 metres north of the northerly limit of Coronado Court to a point 42.0 metres north thereof be rescinded;

- (2) a school bus loading zone on the east side of Weston Road from the northerly limit of Coronado Court to a point 12.0 metres north thereof be enacted; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 11, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 26)

3.30 Proposed Extension of Existing “No Standing Anytime” Prohibition on Toryork Drive (Ward 7 – York West)

The Etobicoke York Community Council considered a report (March 1, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the “No Standing Anytime” regulation on the north side of Toryork Drive from a point 260.0 metres west of the westerly limit of Ormont Drive to a point 60.0 metres westerly thereof be rescinded;
- (2) a “No Standing Anytime” regulation on the north side of Toryork Drive from a point 208.0 metres west of the westerly limit of Ormont Drive to a point 112.0 metres westerly thereof be enacted;
- (3) the “60 Minute Parking, Anytime” regulation on the north side of Toryork Drive from the westerly limit of Ormont Drive to a point 260.0 metres west of the westerly limit of Ormont Drive be rescinded;
- (4) a “60 Minute Parking, Anytime” regulation on the north side of Toryork Drive from the westerly limit of Ormont Drive to a point 208.0 metres west of the westerly limit of Ormont Drive be enacted; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 1, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 27)

3.31 Traffic Calming (Speed Humps) on Firgrove Crescent (Ward 7 – York West)

The Etobicoke York Community Council considered a report (February 23, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) appropriate staff be authorized to conduct a poll of eligible residents on Firgrove Crescent in accordance with the traffic calming policy to determine if residents of the roadway support the installation of speed humps;
- (2) a by-law be prepared and public notice be given pursuant to the *Municipal Act* and *Municipal Class Environmental Assessment Act* for the alterations of sections of the roadway on Firgrove Crescent for traffic calming purposes, described as follows: "The construction of speed humps on Firgrove Crescent, generally as shown on Drawing No. SH-5594-01, SH-5594-02, and SH-5594-03 dated February 11, 2005", attached;
- (3) pursuant to the requirements of Schedule B of the *Municipal Class Environmental Act* which have been recently enacted as Provincial Legislation, notice of study commencement be given to the Ministry of the Environment, Fire Services, Emergency Medical Services and Toronto Police Service and upon approval of a by-law by Council, Notice of Completion be issued;
- (4) the by-law associated with the 40 km/h speed limit on Firgrove Crescent from a point 120 metres west of the westerly limit of Petiole Road to the westerly limit of Jane Street (north intersection) be rescinded;
- (5) the speed limit on Firgrove Crescent from the westerly limit of Jane Street (south intersection) to the westerly limit of Jane Street (north intersection) be changed to 40 km/h as the requirements of the 40 km/h warrant have been achieved;
- (6) subject to favourable results of the poll, the speed limit be reduced from 40 km/h to 30 km/h coincident with the implementation of speed humps on

Firgrove Crescent from the westerly limit of Jane Street (north intersection) to the westerly limit of Jane Street (south intersection); and

- (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

Councillor Ford moved that the Etobicoke York Community Council recommend to City Council that the report (February 23, 2005) from the Director, Transportation Services, West District, be received. **(Motion Lost)**

On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 23, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 28)

**3.32 Traffic Calming (Speed Humps) on Clair Road and Stanley Road
(Ward 7 – York West)**

The Etobicoke York Community Council considered a report (February 23, 2005) from the Director, Transportation Services, West District, outlining the findings of an investigation to determine the need to install speed humps on Clair Road and Stanley Road.

Recommendations:

It is recommended that:

- (1) appropriate staff be authorized to conduct a poll of eligible residents on Clair Road and Stanley Road, in accordance with the traffic calming policy to determine if residents of the roadway support the installation of speed humps;
- (2) a by-law be prepared and public notice be given pursuant to the *Municipal Act* and *Municipal Class Environmental Assessment Act* for the alterations of sections of the roadway on Clair Road and Stanley Road for traffic calming purposes, described as follows: "The construction of speed humps on Clair Road and Stanley Road, generally as shown on Drawing No. SH-5205-01 and Drawing No. SH-6783-01 dated February 16, 2005", attached;

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- (3) pursuant to the requirements of Schedule B of the *Municipal Class Environmental Act* which have been recently enacted as Provincial Legislation, notice of study commencement be given to the Ministry of the Environment, Fire Services, Emergency Medical Services and Toronto Police Service and upon approval of a by-law by Council, Notice of Completion be issued;
- (4) subject to favourable results of the poll, the speed limit be reduced from 40 km/h to 30 km/h coincident with the implementation of speed humps on Clair Road between Jane Street and Laura Road as well as on Stanley Road between Jane Street and Laura Road; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

Councillor Ford moved that the Etobicoke York Community Council recommend to City Council that the report (February 23, 2005) from the Director, Transportation Services, West District, be received. **(Motion Lost)**

On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 23, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 29)

3.33 Installation of Speed Humps – Wendell Avenue, between Gary Drive and Pellat Avenue (Ward 11 – York South-Weston)

The Etobicoke York Community Council considered a report (March 1, 2005) from the Director, Transportation Services, West District, outlining the findings of an investigation to determine the need to install speed humps on Wendell Avenue, between Gary Drive and Pellat Avenue.

Recommendations:

It is recommended that:

- (1) appropriate staff be authorized to conduct a poll of eligible householders on Wendell Avenue, between Gary Drive and Pellat Avenue, to determine resident support for the proposed 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

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Ministry of Environment, Fire Service, Emergency Medical Service and Toronto Police Service;

- (2) subject to favourable results of the poll:
 - (i) a by-law be prepared for the alteration of sections of the roadway on Wendell Avenue, between Gary Drive and Pellat Avenue, for traffic calming purposes generally as shown on the attached print of Drawing No. 421F-7777, dated February 2005 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;
 - (iii) the speed limit be reduced from 40 km/h to 30 km/h on Wendell Avenue, between Gary Drive and Pellat Avenue, coincident with the implementation of speed humps; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

Councillor Ford moved that the Etobicoke York Community Council recommend to City Council that the report (March 1, 2005) from the Director, Transportation Services, West District, be received. **(Motion Lost)**

On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 1, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 30)

3.34 Installation of Speed Humps – Terry Drive, between Rockcliffe Boulevard and Symes Road (Ward 11 – York South-Weston)

The Etobicoke York Community Council considered a report (February 21, 2005) from the Director, Transportation Services, West District, outlining the findings of an investigation to determine the need to install speed humps on Terry Drive, between Rockcliffe Boulevard and Symes Road.

Recommendations:

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It is recommended that:

- (1) appropriate staff be authorized to conduct a poll of eligible householders on Terry Drive, between Rockcliffe Boulevard and Symes Road, to determine resident support for the proposed 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 Service, Emergency Medical Service and Toronto Police Service;
- (2) subject to favourable results of the poll:
 - (i) a by-law be prepared for the alteration of sections of the roadway on Terry Drive, between Rockcliffe Boulevard and Symes Road, for traffic calming purposes generally as shown on the attached print of Drawing No. 421F-7778, dated February 2005, 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 40 km/h to 30 km/h on Terry Drive, between Rockcliffe Boulevard and Symes Road, coincident with the implementation of speed humps; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

Councillor Ford moved that the Etobicoke York Community Council recommend to City Council that the report (February 21, 2005) from the Director, Transportation Services, West District, be received. **(Motion Lost)**

On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 21, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 31)

3.35 Ravine Erosion on Spears Street (Ward 11 – York South-Weston)

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The Etobicoke York Community Council considered a report (March 15, 2005) from the Director, Development Engineering, responding to a request from the Etobicoke York Community Council to report on matters related to the ravine erosion along Spears Street.

Recommendations:

It is recommended that:

- (1) this report be received for information; and
- (2) this report be forwarded to the Works Committee for information.

Cheryl Ewasyn appeared before the Etobicoke York Community Council in connection with this matter.

On motion by Councillor Nunziata, the Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (March 15, 2005) from the Director, Development Engineering, Works and Emergency Services.

Councillor Nunziata moved that the Commissioner of Economic Development, Culture and Tourism, be requested to explore the feasibility of planting trees along the Spears Street ravine to prevent further soil erosion on private properties. **(Motion lost on the following recorded vote:**

Yes: Councillors Milczyn, Nunziata and Palacio (3);
No: Councillors Di Giorgio, Ford, Hall, Holyday, Lindsay Luby, Mammoliti and Saundercook (7); and
Absent: Councillor Grimes (1.)

(Sent to: Cheryl Ewasyn; c. Commissioner of Economic Development, Culture and Tourism – April 6, 2005)

(Report 3, Clause 59(d))

**3.35(a) Ravine Erosion on Spears Street – Construction of a Retaining Wall
(Ward 11 – York South-Weston)**

The Etobicoke York Community Council considered a report (March 21, 2005) from the Director, District Engineering Services, requesting authority to construct a retaining wall adjacent to No. 100 Spears Street.

Recommendations:

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It is recommended that:

- (1) the City proceed with the construction of the retaining wall adjacent to No. 100 Spears Street at an estimated cost of \$250,000.00;
- (2) the section of the public pathway, located on the property of No. 100 Spears Street, be removed and reconstructed on the City property;
- (3) the funding in the amount of \$250,000.00 be secured; and
- (4) the appropriate City officials be authorized and directed to take the necessary action thereto.

Cheryl Ewasyn appeared before the Etobicoke York Community Council in connection with this matter.

On motion by Councillor Nunziata, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 21, 2005) from the Director, District Engineering Services, Works and Emergency Services.

On motion by Councillor Saundercook, the Etobicoke York Community Council recommended that City Council begin the process of declaring any of the lands surplus to the City's needs between the block of Hilldale Road, Cripps Avenue, Spears Street and Hillborn Avenue; and that in the event any lands are sold, that the proceeds of the sale go to the cost of the improvements to the concrete stairway which connects Spears Street to Garrow Avenue.

(Report 3, Clause 32)

3.36 Installation of Speed Humps – Kinkora Drive, between Redberry Parkway and Treelawn Parkway (Ward 12 – York South-Weston)

The Etobicoke York Community Council considered a report (February 21, 2005) from the Director, Transportation Services, West District, outlining the findings of an investigation to determine the need to install speed humps on Kinkora Drive, between Redberry Parkway and Treelawn Parkway.

Recommendation:

It is recommended that speed humps not be installed on Kinkora Drive, between Redberry Parkway and Treelawn Parkway as the traffic calming warrant Criteria is not achieved.

On motion by Councillor Di Giorgio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendation in the Recommendation Section of the report (February 21, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 33)

3.37 Implementation of All-Way Stop Controls - Old Mill Drive at Catherine Street (Ward 13 – Parkdale-High Park)

The Etobicoke York Community Council considered a report (February 24, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) an all-way stop condition be installed at the intersection of Old Mill Drive and Catherine Street as the warrants are satisfied; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Saundercook, the Etobicoke York Community Council deferred consideration of the report (February 24, 2005) from the Director, Transportation Services, West District, to its meeting on May 3, 2005.

(Report 3, Clause 59(e))

3.38 Amendment to Existing Parking Regulations – Runnymede Road, between Deforest Road and Morningside Avenue (Ward 13 – Parkdale-High Park)

The Etobicoke York Community Council considered a report (March 14, 2005) from the Director, Transportation Services, West District.

Recommendations:

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It is recommended that:

- (1) the parking regulations be amended to allow parking for a maximum period of one hour from 9:00 a.m. to 4:00 p.m., Monday to Friday on the east side of Runnymede Road, between Deforest Road and Morningside Avenue; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Saundercook, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 14, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 34)

3.39 Establishment of a “No Stopping 8:30 a.m. to 4:30 p.m., Monday to Friday” Zone Brookside Avenue (Ward 13 – Parkdale-High Park)

The Etobicoke York Community Council considered a report (March 14, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the former City of York, Schedule IX of By-law Nos. 196-84 and 2958-94, be amended by prohibiting stopping 8:30 a.m. to 4:30 p.m., Monday to Friday, on the west side of Brookside Avenue, from a point 9 metres north of St. Mark’s Road to a point 23 metres further north thereof; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be required.

On motion by Councillor Saundercook, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 14, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 35)

3.40 Implementation of All-way Stop Condition – Humbercrest Boulevard at Baby Point Road – (Ward 13 – Parkdale-High Park)

The Etobicoke York Community Council considered a report (March 11, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) an all-way stop condition be installed at the intersection of Humbercrest Boulevard and Baby Point Road;
- (2) the existing pedestrian crossover on the west side of Humbercrest Boulevard be removed in conjunction with the installation of all-way stop controls; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Saundercook, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 11, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 36)

3.41 Proposed Installation of Speed Bumps in the Public Lane, First North of St. Clair Avenue West, between Silverthorn Avenue and Blackthorn Avenue (Ward 17 – Davenport)

The Etobicoke York Community Council considered a report (March 1, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the installation of speed bumps in the first public lane north of St. Clair Avenue West, between Silverthorn Avenue and Blackthorn Avenue, of the type and design noted and at the locations shown on Attachment No. 1, be approved; and

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- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 1, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 37)

**3.42 Installation of On-Street Parking Spaces for Persons with Disabilities
(Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (February 24, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) an on-street parking space for persons with disabilities be established on Boon Avenue, west side, between a point 97 metres south of Hope Street and a point 5.5 metres further south;
- (2) an on-street parking space for persons with disabilities be established on McRoberts Avenue, west side, between a point 37 metres north of Norman Avenue and a point 5.5 metres further north;
- (3) an on-street parking space for persons with disabilities be established on Peterborough Avenue, south side, between a point 78.5 metres east of Greenlaw Avenue and a point 5.5 metres further east; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 24, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 38)

3.43 Renaming of East Avenue to “Grieves Avenue” (Ward 17 – Davenport)

The Etobicoke York Community Council considered a report (March 10, 2005) from the City Surveyor, Works and Emergency Services, recommending that East Avenue, located on the east side of Prescott Avenue between St. Clair Avenue West and Kipping Avenue, be renamed to “Grieves Avenue”.

Recommendations:

It is recommended that:

- (1) subject to the requirements for changing the name of a street set out in Chapter 162-3A and 162-4A of the City of Toronto Municipal Code, “East Avenue” in Ward 17, be renamed to "Grieves Avenue"; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On the motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 10, 2005) from the City Surveyor, Works and Emergency Services.

(Report 3, Clause 39)

3.44 Request for One-way Operation Eastbound on Rutland Street between Laughton Avenue and Wiltshire Avenue and One-way Operation Southbound on Wiltshire Avenue between Rutland Street and Davenport Road (Ward 17 – Davenport)

The Etobicoke York Community Council considered a report (February 24, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the City Clerk be authorized to conduct a resident poll on Rutland Street, between Laughton Avenue and Wiltshire Avenue, and on Wiltshire Avenue, between Rutland Street and Davenport Road to determine majority support for designating both streets in a one-way eastbound and southbound direction respectively;
- (2) subject to favourable results of the poll, a one-way eastbound regulation be implemented on Rutland Street, between Laughton Avenue and Wiltshire Avenue,

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and a one-way southbound regulation be implemented on Wiltshire Avenue between Rutland Street and Davenport Road;

- (3) the speed limit on Rutland Street, between Laughton Avenue and Wiltshire Avenue, be reduced from 50 km/h to 40 km/h;
- (4) the speed limit on Wiltshire Avenue, between Rutland Street and Davenport Road, be reduced from 50 km/h to 40 km/h; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 24, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 40)

3.45 Request for One-way Operation Northbound on Gilbert Avenue between Innes Avenue and Rogers Road and One-way Operation Southbound on Gilbert Avenue between Innes Road and Norman Avenue (Ward 17 – Davenport)

The Etobicoke York Community Council considered a report (March 9, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the City Clerk be authorized to conduct a resident poll on Gilbert Avenue, between Innes Avenue and Rogers Road and on Gilbert Avenue, between Innes Avenue and Norman Avenue to determine majority support for designating sections of the street in a one-way northbound and southbound direction;
- (2) subject to favourable results of the poll, a one-way northbound regulation on Gilbert Avenue, between Innes Avenue and Rogers Road, and a one-way southbound regulation on Gilbert Avenue, between Innes Avenue and Norman Avenue be introduced; and

- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 9, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 41)

**3.46 Rescindment of Eastbound and Southbound Right Turns on Red Prohibition
Old Weston Road at Turnberry Avenue (Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (February 24, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the existing eastbound and southbound right-turn-on-red prohibition at the intersection of Old Weston Road at Turnberry Avenue, be rescinded; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 24, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 42)

**3.47 Installation/Removal of On-street Parking Spaces for Persons with Disabilities
(Ward 11 – York South-Weston, Ward 13 – Parkdale-High Park and
Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (March 4, 2005) from the Director, Transportation Services, West District.

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Recommendations:

It is recommended that:

- (1) the existing on-street parking space for persons with disabilities on Morland Road, south side, between a point 39.5 metres east of Willard Avenue and a point 5.5 metres further east, be removed;
- (2) the existing on-street parking space for persons with disabilities on Woodcroft Crescent, west side, between a point 22.5 metres north of Hatherley Road and a point 7 metres further north, be removed;
- (3) an on-street parking space for persons with disabilities be established on Gibson Avenue, west side, between a point 50 metres north of Wright Avenue and a point 5.5 metres further north;
- (4) an on-street parking space for persons with disabilities be established on Bristol Avenue, west side, between a point 158.3 metres north of Geary Avenue and a point 5.5 metres further north;
- (5) an on-street parking space for persons with disabilities be established on Fairview Avenue, west side, between a point 35 metres north of Annette Street and a point 5.5 metres further north;
- (6) an on-street parking space for persons with disabilities be established on Peterborough Avenue, south side, between a point 18.5 metres west of McFarland Avenue and a point 5.5 metres further west; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 14, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 43)

3.48 Final Report – Part-lot Control Exemption Application

**Applicant: Marlene DiGiuseppe, IQ Developments; 255 Dalesford Road
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (March 11, 2005) from the Acting Director, Community Planning, West District, reviewing and recommending approval of an application to lift Part-lot Control for a development containing 22 townhouse dwelling unit, thereby allowing the creation of separate lots.

Recommendations:

It is recommended that City Council approve the application for Part-lot Control and that:

- (1) a Part-lot Control Exemption By-law, with respect to the subject lands, be prepared to the satisfaction of the City Solicitor, and that such by-law shall expire one year after it has been enacted;
- (2) the City Solicitor be authorized to introduce the necessary bill after such time that:
 - (a) all tax arrears and/or current taxes owing are paid in full;
 - (b) the owner has registered, satisfactory to the City Solicitor, a Section 118 restriction under the *Land Title Act* agreeing not to transfer or charge any part of the said lands without the prior written consent of the Chief Planner or his delegate; and
 - (c) the Site Plan Control agreement, pursuant to Section 41 of *the Planning Act*, has been registered;
- (3) the City Solicitor be authorized to take the necessary steps to release the Section 118 restriction at such time as the Common Elements Condominium Plan has been registered; and
- (4) the appropriate City Officials be authorized and directed to register the by-law on title.

On motion by Councillor Milczyn, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 11, 2005) from the Acting Director, Community Planning, West District.

(Report 3, Clause 44)

3.49 Section 37 Agreement Amendment – 5233 Dundas Street West Holdings Limited and 1442923 Ontario Inc.; Dundas Street West and Kipling Avenue (Viking Road Area) (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 15, 2005) from the Acting Director, Community Planning, West District, seeking Council's authorization to amend a Section 37 Agreement that has been registered between the City of Toronto and 5233 Dundas Street West Holdings Limited and 1442923 Ontario Inc.

Recommendations:

It is recommended that:

- (1) authorize staff to amend the Section 37 Agreement by deleting the reference to the word "first" and replace it with the word "last", as discussed in this report; and
- (2) adopt Recommendation (1) subject to the developer submitting an Air Quality Study for staff review and approval.
On motion by Councillor Milczyn, the Etobicoke York Community Council deferred consideration of the report (March 15, 2005) from the Acting Director, Community Planning, West District.

(Sent to: Salvatore Cavarretta; c. Commissioner, Urban Development Services – April 6, 2005)

(Report 3, Clause 59(f))

3.50 Terms of Reference – Community Improvement Plan for Etobicoke City Centre (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 15, 2005) from the Acting Director, Community Planning, West District.

Recommendation:

It is recommended that the Terms of Reference for a Community Improvement Plan for the Etobicoke Centre, appended to this report, be adopted.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendation in the Recommendation Section of the report (March 15, 2005) from the Acting Director, Community Planning, West District, subject to the words "Etobicoke Centre" being changed to "Etobicoke City Centre" wherever it appears in the report and the Terms of Reference.

(Report 3, Clause 45)

3.51 Request for Approval of a Minor Variance from Chapter 297, Signs, of the Former City of Toronto Municipal Code – 537 Keele Street (Ward 11 – York South-Weston)

The Etobicoke York Community Council considered a report (March 15, 2005) from the Acting Director, Community Planning, West District, regarding a request by Dominic Rotundo, on behalf of Esso Canada Inc., for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit illumination of five existing first-party fascia signs located on the Esso service station at 537 Keele Street.

Recommendations:

It is recommended that:

- (1) the requested variance be approved to permit illumination of five existing first-party fascia signs located on the Esso service station at 537 Keele Street, subject to the applicant installing an automated timing device to limit the hours of illumination of the signs to business hours; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

On motion by Councillor Nunziata, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 15, 2005) from the Acting Director, Community Planning, West District.

(Report 3, Clause 46)

**3.52 Amendment to Section 37 Agreement – Site Plan Control
Applicant: Gabriel Di Martino, Tiffany Park (St. Clair) Ltd.
1912 St. Clair Avenue West (Ward 11 – York South-Weston)**

The Etobicoke York Community Council considered a report (March 4, 2005) from the Acting Director, Community Planning, West District, seeking Council's authorization to amend an existing Section 37 Agreement that was registered for a residential townhouse development consisting of a public park and 262 dwelling units.

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Recommendations:

It is recommended that:

- (1) City Council authorize the City Solicitor to amend the Section 37 Agreement (Instrument No. At400306) by revising the wording in Clause 6.13 so that it read as follows:

“The Owner agrees that all components of the Park Conveyance shall be completed to the satisfaction of the Commissioner of Economic Development Culture and Tourism by no later than the earlier of the Park Threshold and November 5, 2006.”; and

- (2) the City Solicitor be authorized to make such stylistic and technical changes to the amendment as may be required.

On motion by Councillor Nunziata, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 4, 2005) from the Acting Director, Community Planning, West District.

(Report 3, Clause 47)

3.53 Preliminary Report – Rezoning Application

Applicant: Eros Fiacconi, EGF Associates; 1920 Albion Road and 225 Carrie Drive (Ward 1 – Etobicoke North)

The Etobicoke York Community Council considered a report (March 10, 2005) from the Acting Director, Community Planning, West District, providing preliminary information on the rezoning application and seeking Community Council’s directions on further processing of the application and on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to provide an information package on this proposal to all landowners within 120 metres of this site in lieu of a community meeting; and
- (2) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

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On motion by Councillor Lindsay Luby, the Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (March 10, 2005) from the Acting Director, Community Planning, West District.

(Sent to: Eros Fiacconi, EGF Associates; c. Commissioner, Urban Development Services – April 6, 2005)

(Report 3, Clause 59(g))

3.54 Preliminary Report – Rezoning Application

Applicant: Jim Levac, Korsiak & Company Ltd., on behalf of Carmine Cesta

Architect: Ian Cunha, Cunha Design Consultants Ltd.

99 Evans Avenue (Ward 6 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 11, 2005) from the Acting Director, Community Planning, West District, providing preliminary information on the above-noted rezoning application and seeking Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

It is recommended 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 Grimes, the Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (March 11, 2005) from the Acting Director, Community Planning, West District.

(Sent to: Jim Levac, Korsiak & Company Ltd.; c. Commissioner, Urban Development Services – April 6, 2005)

(Report 3, Clause 59(h))

**3.55 Preliminary Report – Official Plan Amendment and Rezoning Application
Applicant: Pedro Pimentel, Pedro Pimentel Architect; 147 Brandon Avenue
(Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (March 11, 2005) from Acting Director, Community Planning, West District, providing preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

It is recommended 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 Palacio, the Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (March 11, 2005) from the Acting Director, Community Planning, West District.

(Sent to: Pedro Pimentel, Pedro Pimentel Architect; c. Commissioner, Urban Development Services – April 6, 2005)

(Report 3, Clause 59(i))

**3.56 Application for Outdoor Café Encroachment at 3359 Bloor Street West
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (January 14, 2005) from the District Manager, Municipal Licensing and Standards.

Recommendations:

It is recommended that this application to lease 16.76 square metres (6.05 metres x 2.77 metres) of the municipal boulevard, located at the front of 3359 Bloor Street West, as indicated on Attachment 1, be approved in accordance with the former Municipality of

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Metropolitan Toronto By-law 41-93, as amended, subject to the applicant fulfilling the following conditions upon approval:

- (1) enter into an Encroachment Agreement with the City of Toronto;
- (2) pay an annual fee to the City of Toronto for use of the road allowance in the amount of \$11.00 per square metre. The fee is subject to change;
- (3) provide a certificate of insurance evidencing a third party bodily injury and property damage insurance in the amount of two million dollars (\$2,000,000.00), or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy; and
- (4) applicant must conduct business in compliance with the requirements of all City of Toronto Works and Emergency Services by-laws.

On motion by Councillor Milczyn, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (January 14, 2005) from the District Manager, Municipal Licensing and Standards.

(Report 3, Clause 48)

3.57 Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code – 1800 The Queensway (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke York Community Council Report (March 11, 2005) from the Director of Building and Deputy Chief Building Official regarding a request by Sean Smith, Steel Art Sign Corp., on behalf of the Fima Corporation, for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to permit one business identification ground sign with tenant directory at the 1800 The Queensway.

Recommendations:

It is recommended that:

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

On motion by Councillor Milczyn, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 11, 2005) from the Director of Building and Deputy Chief Building Official.

(Report 3, Clause 49)

3.58 Sale of Surplus Land – Strip of Land Fronting 3857-3865 Lake Shore Boulevard West (Ward 6 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (February 25, 2005) from the Commissioner, Corporate Services.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from Paglia Holdings Inc. to purchase the City-owned strip of vacant land fronting 3857-3865 Lake Shore Boulevard West, being part of Lots 303 to 307 inclusive, and part of Unnamed Road (Closed) on Plan 2172, also being part of Lot 11, Broken Front Concession and designated as Parts 8 and 10 on Reference Plan 64R-9386, subject to an existing easement over Part 8 on Reference Plan 64R-9386 in favour of Enbridge Gas and the retention of a permanent easement over Part 10 on said Plan for operation and maintenance of a 200mm watermain (the "Property"), in the amount of \$51,000.00, be accepted, substantially on the terms and conditions 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 making payment of any necessary expenses and amending the closing date and other relevant transaction dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Grimes, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (February 25, 2005) from the Commissioner, Corporate Services.

(Report 3, Clause 50)

3.59 Notification Procedures for Proposed Listings on the Inventory of Heritage Properties (All Wards)

The Etobicoke York Community Council considered a report (February 9, 2005) from the Commissioner, Economic Development, Culture and Tourism, regarding procedures used to notify owners when a recommendation is brought forward to list a property on the Inventory of Heritage Properties.

Recommendation:

It is recommended that this report be received for information.

The Etobicoke York Community Council also considered a communication (March 4, 2005) from the Toronto Preservation Board advising that the Toronto Preservation Board received the report (February 9, 2005) from the Commissioner, Economic Development, Culture and Tourism.

On motion by Councillor Saundercook, the Etobicoke York Community Council received the report (February 9, 2005) from the Commissioner, Economic Development, Culture and Tourism.

(Report 3, Clause 59(j))

3.60 Designation of the CIRV FM Summerfest/2005 as a Community Event (Ward 17 – Davenport)

The Etobicoke York Community Council considered a communication (February 18, 2005) from Councillor Cesar Palacio (Ward 17 – Davenport) requesting that CIRV FM Summerfest/2005, to be held on June 17, 18 and 19, 2005, be declared a significant community event for liquor licensing purposes; and that the Alcohol and Gaming Commission be advised that the Etobicoke York Community Council has no objection to it taking place.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended that City Council, for liquor licensing purposes, declare the "CIRV FM Summerfest/2005", to be held on June 17, 18 and 19, 2005, at Earls court Park, an event of municipal and/or community significance and that the Alcohol and Gaming Commission of Ontario be advised that the City of Toronto has no objection to the event taking place.

(Report 3, Clause 51)

**3.61 Ontario Municipal Board Hearing – 56 Grovetree Road
(Ward 1 – Etobicoke North)**

The Etobicoke York Community Council considered a communication (February 21, 2005) from Kathy Stranks, Supervisor, Board Member Services, Toronto and Region Conservation Authority (TRCA), authorizing TRCA staff to act in the capacity of expert witness for the City of Toronto at the Ontario Municipal Board hearing regarding 56 Grovetree Road.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council received the communication (February 21, 2005) from Kathy Stranks, Supervisor, Board Member Services, Toronto and Region Conservation Authority.

(Sent to: Kathy Stranks, Supervisor, Board Member Services, Toronto and Region Conservation Authority; c. Commissioner, Urban Development Services – April 6, 2005)

(Report 3, Clause 59(k))

**3.62 52 Cliff Street – Request to Remove One City-owned Tree
(Ward 11 – York South-Weston)**

The Etobicoke York Community Council considered a report (February 8, 2005) from the Commissioner, Economic Development, Culture and Tourism, respecting a request to remove the tree due to damage to sewer, water pipes and to the driveway retaining wall by tree roots.

Recommendation:

It is recommended that the Etobicoke York Community Council deny the request for the removal of one City-owned tree at 52 Cliff Street.

Tony Saliba appeared before the Etobicoke York Community Council in connection with this matter.

On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council approval of the request for the removal of the tree at 52 Cliff Street, conditional upon:

- (1) the owner being responsible for the cost of the tree removal;

- (2) the owner being responsible for all applicable costs and complying with all other requirements as set out in City of Toronto Municipal Code, Chapter 813, Trees, Article II; and
- (3) the owner agreeing to plant three replacement trees.

(Report 3, Clause 52)

3.63 Status Report - Site Plan Approval Application

Applicant: Glen J. Wellings, MHBC Planning Ltd.

207 New Toronto Street (Ward 6 – Etobicoke-Lakeshore)

The Etobicoke York Community Council considered a report (March 22, 2005) from the Acting Director, Community Planning, West District regarding a Site Plan Control application to permit a concrete batching plant, two salt storage units, sand/aggregate storage units and associated parking at 207 New Toronto Street.

Recommendation:

It is recommended that Etobicoke York Community Council instruct the Director of Community Planning, West District, to report directly to City Council on the resolution of outstanding site plan issues and whether to authorize City Legal to appear in support of City Council's position at the Ontario Municipal Board.

The Etobicoke York Community Council also considered the following motion (March 30, 2005) by Councillor Grimes:

“WHEREAS Works and Emergency Services is currently reviewing the consolidation of current Works and Emergency yards throughout the City of Toronto; and

WHEREAS a Community Improvement Plan review will be commencing in Etobicoke Centre, in Ward 5, where there is a Works Dept. facility on the Westwood Theater lands slated for possible relocation; and

WHEREAS, potential opportunities are being identified to relocate a proposed concrete batching plant, permanently or temporarily, at 207 New Toronto Street in Ward 6; and

WHEREAS, the community has raised significant issues respecting the proposed concrete batching plant; and

WHEREAS, an OMB hearing regarding 207 New Toronto Street is scheduled for May 6, 2005 on the applicant's appeal of their site plan approval application for a concrete batching plant;

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THEREFORE BE IT RESOLVED that the Commissioner of Works and Emergency Services, in consultation with the Councillors of Wards 5 & 6, City Planning, Facilities and Real Estate and TEDCO explore the feasibility of a plan to consolidate some Works yard operations, especially snow dumping, in West District and report back on this request to the City Council meeting of May 17, 18 and 19, 2005.”

On motion by Councillor Grimes, the Etobicoke York Community Council:

- (1) submitted this matter to Council without recommendation;
- (2) requested the Director, Community Planning, West District, to report directly to City Council at its meeting on April 12, 2005, on the resolution of outstanding site plan issues and whether to authorize City legal staff to appear in support of City Council’s position at the Ontario Municipal Board hearing; and
- (3) requested the Commissioner of Works and Emergency Services, in consultation with the Councillors for Wards 5 and 6, staff from Urban Development Services, Facilities and Real Estate and TEDCO, to explore the feasibility of a plan to consolidate some Works yard operations in the West District, especially for snow dumping, and report to the April 27, 2005 meeting of the Works Committee for consideration by City Council on May 17, 2005.

(Motion carried on the following recorded vote:

Yes: Councillors Di Giorgio, Ford, Grimes, Hall, Holyday, Mammoliti, Milczyn, Nunziata, Palacio and Saundercook (10); and

Absent: Councillor Lindsay Luby (1.)

(Report 3, Clause 53)

3.64 Traffic Calming (Speed Humps) on Duncanwoods Drive between Pearldale Avenue and Rubydale Gardens (Ward 7 – York West)

The Etobicoke York Community Council considered a report (March 24, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) a by-law be prepared and public notice be given pursuant to the *Municipal Act* and *Municipal Class Environmental Assessment Act* for the alterations of sections

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of the roadway on Duncanwoods Drive for traffic calming purposes, described as follows:

The construction of speed humps on Duncanwoods Drive, generally as shown on Attachment No 1;

- (2) pursuant to the requirements of Schedule B of the *Municipal Class Environmental Act* which have been recently enacted as Provincial Legislation, upon approval of a by-law by Council, Notice of Completion be issued;
- (3) the speed limit on Duncanwoods Drive between Pearldale Avenue and Rubydale Gardens be reduced from 40 km/h to 30 km/h, coincident with the implementation of speed humps;
- (4) the existing 40 km/h speed limit by-law be amended to apply on Duncanwoods Drive between Islington Avenue and Rubydale Gardens and between Pearldale Avenue and Finch Avenue West; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.
 - A. Councillor Ford moved that the Etobicoke York Community Council recommend to City Council that the report (March 24, 2005) from the Director, Transportation Services, West District, be received. **(Motion Lost)**
 - B. On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 24, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 54)

**3.65. Parking Adjustments fronting Regal Road Public School
(Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (March 24, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

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- (1) the parking prohibition from 8:30 a.m. to 6:00 p.m., daily, on the north side of Regal Road from Dufferin Street to Northcliffe Boulevard, be rescinded;
- (2) standing be prohibited from 8:30 a.m. to 6:00 p.m., daily, on the north side of Regal Road from Dufferin Street to Northcliffe Boulevard;
- (3) the existing ten-minute maximum parking limit in operation from 8:30 a.m. to 9:00 a.m., from 11:25 a.m. to 12:01 p.m. and from 3:00 p.m. to 3:30 p.m., Monday to Friday, on the south side of Regal Road from a point 22 metres east of Dufferin Street to a point 22 metres further east, be rescinded;
- (4) the parking prohibition from 12:01 a.m. to 8:30 a.m., from 9:00 a.m. to 11:25 a.m., from 12:01 p.m. to 3:00 p.m. and from 3:30 p.m. to 12:01 a.m., Monday to Friday and at all times on Saturday and Sunday, on the south side of Regal Road from a point 22 metres east of Dufferin Street to a point 22 metres further east, be rescinded;
- (5) parking be allowed for a maximum period of ten-minutes from 8:30 a.m. to 9:15 a.m., from 11:20 a.m. to 1:10 p.m. and from 3:00 p.m. to 3:45 p.m., Monday to Friday, on the south side of Regal Road from a point 22 metres east of Dufferin Street to a point 22 metres further east;
- (6) parking be prohibited at all other times, on the south side of Regal Road from a point 22 metres east of Dufferin Street to a point 22 metres further east; and
- (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be requested.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 24, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 55)

**3.66 Appointment – Director on the Board of Management of the Swansea Town Hall
(Ward 13 – Parkdale-High Park)**

The Etobicoke York Community Council considered a communication (March 24, 2005) from the Executive Director, Swansea Town Hall, Community Centre.

On motion by Councillor Saundercook, the Etobicoke York Community Council recommended to City Council that Mr. Ed Benson be appointed as a Director on the Board of Management of the Swansea Town Hall.

(Report 3, Clause 56)

3.67 Amendments to Parking Regulations – Request for Alternate Side Parking on Kane Avenue, between Rogers Road and Trowell Avenue (Ward 12 - York South Weston)

The Etobicoke York Community Council considered a report (March 23, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the existing “Permit Parking 12 Midnight to 6:00 a.m.” regulations in place on Kane Avenue between Rogers Road and Trowell Avenue, be rescinded;
- (2) the existing “No Parking Anytime” regulations in place on Kane Avenue between Rogers Road and Trowell Avenue, be rescinded;
- (3) the existing “Alternate Side Parking” on Kane Avenue, between Rogers Road and Kersdale Avenue, be rescinded;
- (4) “Alternate Side Parking” be implemented on Kane Avenue, between Rogers Road and Trowell Avenue as follows:
 - (i) parking be prohibited on the west side from April 1 to November 30, the first day to the 15th day of each month, inclusive;
 - (ii) parking be prohibited on the east side from April 1 to November 30, the 16th day to the last day of each month, inclusive;
- (5) parking be prohibited on the west side of Kane Avenue, between Rogers Road and Trowell Avenue anytime, from December 1st of one year to March 31st of the next following year, inclusive;
- (6) permit parking be allowed on an alternate side basis to coincide with the proposed alternate side regulations; and

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- (7) 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 Di Giorgio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendation in the Recommendation Section of the report (March 23, 2005) from the Director, Transportation Services, West District.

(Report 3, Clause 57)

3.68 Westbound Advance Green Traffic Signal at 2525 St. Clair Avenue West and Mould Avenue (Ward 11 – York South-Weston)

On motion by Councillor Nunziata, the Etobicoke York Community Council concurred in the introduction of a communication (March 29, 2005) from Councillor Nunziata advising that the opening of the Walmart Stockyards store has resulted in increased traffic along St. Clair Avenue West, particularly for westbound traffic turning left at 2525 St. Clair Avenue West (at Mould Avenue) into the Walmart parking lot, creating traffic backup on St. Clair Avenue West.

On motion by Councillor Nunziata, the Etobicoke York Community Council requested the Commissioner of Works and Emergency Services to report on the feasibility of installing a westbound advance green signal at the entrance to the WalMart store at St. Clair Avenue West and Mould Avenue.

(Report 3, Clause 59(l))

3.69 City of Toronto Act – Proposal from the Province of Ontario

On motion by Councillor Saundercook, the Etobicoke York Community Council allowed the introduction of the following motion (March 30, 2005) by Councillor Saundercook:

“That the Chief Administrative Officer report to the April 12, 2005 meeting of Council on the scheduling of a public meeting to discuss the implications resulting from the proposed *City of Toronto Act* from the Provincial Government.”

On motion by Councillor Ford, the Etobicoke York Community Council received the motion (March 30, 2005) from Councillor Saundercook.

(Report 3, Clause 59(m))

3.70 1555 Jane Street, Section 37 Agreement, Committee of Adjustment Decision and Application to Amend the Official Plan and Zoning By-law No. 7625 (Ward 12 – York South-Weston)

On motion by Councillor Di Giorigo, the Etobicoke York Community Council allowed the introduction of a communication (March 15, 2005) from Councillor Di Giorgio attaching a legal opinion dated January 28, 2005 from Stanley Makuch, Cassels Brock, regarding the Section 37 Agreement between the City and the developer for the project at 1555 Jane Street.

Recommendations:

- (1) that as per the requirements of the Section 37 Agreement, that Toronto City Council direct enforcement of the s.37 Agreement registered on title which prohibits the construction of the higher building by virtue of the plans attached to it and restrict the construction of the new building to a height of 25 metres or 8 stories, whichever is the lesser; and
- (2) any amendments made to the Section 37 Agreement or appendixes contained in it to allow the construction of the higher 9 storey building, include a contribution from the developer of \$3,000 per unit.

The Etobicoke York Community Council also considered a communication (January 28, 2005) from Stanley Makuch, Cassels Brock.

On motion by Councillor Di Giorgio, the Etobicoke York Community Council recommended to City Council adoption of the recommendations in the communication (March 15, 2005) from Councillor Di Giorgio.

(Note: Councillor Di Giorgio moved that his communication dated March 15, 2005, dealing with the Section 37 Agreement for 1555 Jane Street, be considered as a new business item on the agenda.

The Chair ruled the motion out of order since City Council had already dealt with this matter through approval of the Site Plan and the financial approval through authorizing the Let's Build financing and read out paragraph #27-49 of the Procedural By-law which states that "No question after it has been decided shall be reconsidered within the twelve-month period following the decision of Council unless otherwise decided by a two-thirds vote of the members present and voting."; and that since this is a reconsideration of a Council decision, that a Notice of Motion should be submitted to Council in accordance with the Procedural By-law.

Councillor Di Giorgio challenged the ruling of the Chair.

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Recorded vote to uphold the ruling of the Chair:

Yes: Councillors Hall and Holyday (2); and
No: Councillors Di Giorgio, Ford, Grimes, Lindsay Luby, Mammoliti,
Milczyn, Nunziata, Palacio and Saundercook (9).

Ruling lost.)

(Report 3, Clause 58)

The meeting adjourned at 8:15 p.m.

Chair