

**THE CITY OF TORONTO**

**City Clerk's Office**

**Minutes of the Etobicoke York Community Council**

**Meeting 4**

**Tuesday, May 3, 2005**

The Etobicoke York Community Council met on Tuesday, May 3, 2005, in the Council Chambers, Etobicoke Civic Centre, 399 The West Mall, Toronto, at 9:30 a.m.

Attendance:

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

	9:30 a.m. to 1:20 p.m.	1:50 p.m. to 2:00 p.m.
Mayor David Miller	X	-
Councillor Frank Di Giorgio	X	-
Councillor Rob Ford (Vice-Chair)	X	-
Councillor Mark Grimes	X	X
Councillor Suzan Hall (Chair)	X	X
Councillor Doug Holyday	X	-
Councillor Gloria Lindsay Luby	X	X
Councillor Giorgio Mammoliti	X	X
Councillor Peter Milczyn	X	X
Councillor Frances Nunziata	X	X
Councillor Cesar Palacio	X	X
Councillor Bill Saundercook	X	X

Councillor Hall in the Chair.

**Confirmation of Minutes**

On motion by Councillor Grimes, the Minutes of the meeting of the Etobicoke York Community Council held on March 30, 2005, were confirmed.

On motion by Councillor Palacio, the Etobicoke York Community Council concurred in the introduction of new communications/staff reports included on the Added Starter Agenda as Items 27 to 29.

**4.1 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 City Council:

- (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 recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (March 15, 2005) from the Director, Community Planning, West District, subject to:

- (1) the following amendments to the Section 37 Agreement as indicated in Recommendation (1), to read in part as follows, viz:

**“ARTICLE 4 – SECTION 14 – PROVISION OF COMMUNITY FACILITY OR ALTERNATE COMMUNITY FACILITY**

14.1 The parties further acknowledge and agree that the said facility shall be provided within a unit within the last condominium building to be constructed on that portion of the Lands south of the Private Road if an off-site location in the vicinity of the Lands is not agreed on by the owner and the City in accordance with this article.

**ARTICLE 4 – SECTION 15 – LOCATION OF COMMUNITY FACILITY OR ALTERNATE COMMUNITY FACILITY AND TIMING OF INSTALLATION**

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- 15.1 The Community Facility shall be provided in the last building erected south of the Private Road or in the alternative, an off-site location mutually agreed upon by the City and the Owner provided that the Alternate Community Facility shall be located not more than 1.6 kilometres from the perimeter of the Lands.
- 15.3 In the event that a Community Facility is required, at the time when a site plan is filed for the last building south of the Private Road, the Owner shall submit a Community Facility proposal showing a location within the building for the Community Facility, identifying the means of access, the location of the appurtenant common element and the interface between the Community Facility and the other elements of the proposed condominium.
- (2) a further amendment to the Section 37 Agreement to provide that the Air Quality Study be required to be submitted prior to Site Plan approval for the last building on the lands south of the private road.

**(Report 4, Clause 1)**

**4.2 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 the report to its next meeting on May 31, 2005.

**(Report 4, Clause 27(a))**

**4.3 Final Report – Official Plan Amendment and Rezoning Application**  
**Applicant: Toula Nessimis, Marlston Planning Consultants**  
**Architect: Rafael + Bigauskas Architects; South Side of Frith Road and a**  
**Portion of the Lands municipally known as 45 Bartel Drive (Ward 7 – York West)**

The Etobicoke York Community Council considered a report (April 19, 2005) from the Director, Community Planning, West District, reviewing and recommending approval of applications to amend the Official Plan and Zoning By-law No. 7625 of the former City of North York to permit four single detached dwellings with frontage on Frith Road and 20 semi-detached dwelling units with frontage on a proposed common element condominium driveway.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 14;
- (2) amend Zoning By-law No. 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.15;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (4) before introducing the necessary Bills to City Council for enactment, the owner shall provide proof of title to the portion of 45 Bartel Drive that is to be acquired and added to the development site, to the satisfaction of the City Solicitor; and
- (5) before introducing the necessary Bills to City Council for enactment, the owner shall obtain Site Plan Control Approval and enter into a Site Plan Agreement with the City under Section 41 of the Planning Act to secure the conditions of approval set out in Attachment 16, among such other matters as the City deems appropriate.

The Etobicoke York Community Council also considered the following communications:

- (i) (undated) from Gary Bertoia; and
- (ii) (May 3, 2005) from P. C. Tsang, Condunes Development Inc.

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The Etobicoke York Community Council held a statutory public meeting on May 3, 2005, and notice was given in accordance with the *Planning Act*.

Adam J. Brown, Sherman Brown Dryer Karol, solicitor for the applicant, appeared before the Etobicoke York Community Council in connection with this matter.

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 (April 19, 2005) from the Director, Community Planning, West District.

(Councillor Mammoliti declared an interest in this matter, in that his parents reside in the area.)

**(Report 4, Clause 2)**

**4.4 Further Report – Subdivision Approval Application**  
**Applicant: Eros Fiacconi, EGF Associates; 115 Torbarrie Road**  
**(Ward 7 – York West)**

The Etobicoke York Community Council considered a report (April 19, 2005) from the Director, Community Planning, West District, reviewing and recommending amendments to the draft plan approved by the Chief Planner (August 8, 2003) for 115 Torbarrie Road.

Recommendations:

It is recommended that City Council support the amendments to the approved draft plan of subdivision and conditions as generally set out in Attachment 3 and Attachment 5, respectively.

The Etobicoke York Community Council held a statutory public meeting on May 3, 2005, and notice was given in accordance with the *Planning Act*.

The Etobicoke York Community Council also considered a revised Attachment 5: Revised Conditions of Approval, submitted by Eros Fiacconi, EGF Associates.

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

- Jim Booth; and filed a submission;
- Eros Fiacconi, EGF Associates; and filed a submission; and
- Ted Wray.

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

- (1) City Council support the amendments to the approved draft plan of subdivision and conditions as generally set out in Attachment 2 and Attachment 5 to the further report (April 19, 2005) from the Director, Community Planning, West District, and the revised Attachment 5 with respect to block and lot renumbering amendments only, as submitted at this Community Council meeting;
- (2) the revised Attachment 5 with respect to block and lot renumbering amendments only as submitted by the applicant, be adopted;
- (3) the already agreed and passed \$150,000.00 partial amount of the estimated Parks and Recreation development charge component for this development that has been targeted to the community for community space improvements, soccer lights at Humber Sheppard Community Centre, and the approved \$100,000.00 contribution for traffic calming measures and traffic lights for the Oakdale community, be allocated to the City for these improvements prior to the registration of the plan of subdivision and the Parks and Recreation amount be credited to the balance of the development charge collected under the Development Charges By-law; and
- (4) the Toronto Transit Commission be requested to consider the implementation of a new bus route to travel north/south on Torbarrie Road and to report to Council with recommendations as soon as possible.

(Sent to: Rick Ducharme, Chief General Manager, Toronto Transit Commission; c. Director, Community Planning, West District – May 9, 2005)

**(Report 4, Clause 3)**

**4.5 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 (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.

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Recommendations:

It is recommended that:

- (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:

- (i) information 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.

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

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- (v) confidential report (May 2, 2005) from the City Solicitor, which was forwarded to Members of the Etobicoke York Community Council under separate cover, having regard that the subject matter relates to the receiving of advice that is subject to solicitor-client privilege.

The Etobicoke Community Council commenced a statutory public meeting on September 18, 2002, and the Etobicoke York Community Council continued the public meeting on March 30, 2005 and May 3, 2005, and notice was given in accordance with the *Planning Act*.

The following appeared before the Etobicoke Community Council in connection with this matter 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 following appeared before the Etobicoke York Community Council in connection with this matter on March 30, 2005:

- Saji Ashry; and filed a submission
- Somia Ashry; and
- Cynthia MacDougall.

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

- (1) the staff recommendations in the Recommendations Section of the report (June 7, 2002) from the Director, Community Planning, West District, be adopted subject to Recommendation (2) being amended to read as follows:
  - “(2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required to provide for the development as proposed and any additional amendments as may be required to bring the Zoning By-law Amendment into conformity with recent changes to the Zoning Code;”;



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- (2) no further public notice be required as a result of these changes, pursuant to Section 34 (17) of the *Planning Act*;
- (3) the confidential report (May 2, 2005) from the City Solicitor, which was forwarded to all Members of Council under separate cover, having regard that the subject matter relates to the receiving of advice that is subject to solicitor-client privilege, be received; and
- (4) the information report (March 4, 2005) from the Acting Director, Community Planning, West District, be received.

**(Report 4, Clause 4)**

**4.6 Removal of Three (3) Privately Owned Trees at 47 Edenbrook Hill  
(Ward 4 – Etobicoke Centre)**

The Etobicoke York Community Council considered a revised report (April 29, 2005) from the General Manager, Parks, Forestry and Recreation, on an application for a permit to remove three privately owned trees located at the front of 47 Edenbrook Hill.

Recommendation:

It is recommended that the request for a permit to remove three (3) privately owned trees at 47 Edenbrook Hill, be denied.

The Etobicoke York Community Council also considered the following communications:

- (i) (May 2, 2005) from Robert A. Fung;
- (ii) (May 2, 2005) addressed to Councillor Lindsay Luby on behalf of Dr. Arthur J. Breglia; and
- (iii) (May 3, 2005) from Fred and Maria Alonzi.

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

- Berardo Mascioli, Stratega Consulting Ltd.;
- Nick Mancini;
- Marilyn Prittie;
- Karen Cardinal;
- Bruce Erskine, on behalf of Humber Valley Village Residents' Association;

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- Michael Denega;
- Paul McLean; and
- Alan Prittie.

A. Councillor Ford moved that the request for the removal of the three privately owned trees located at 47 Edenbrook Hill, be approved, conditional on the owner planting replacement trees acceptable to the General Manager of Parks, Forestry and Recreation. **(Lost on the following recorded vote:**

**For: Councillor Ford (1);**  
**Against: Councillors Di Giorgio, Grimes, Hall, Holyday, Lindsay Luby, Mammoliti, Milczyn, Nunziata and Saundercook (9); and**  
**Absent: Councillor Palacio (1)**

B. 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 (April 29, 2005) from the General Manager, Parks, Forestry and Recreation. **(Carried on the following recorded vote:**

**For: Councillors Di Giorgio, Grimes, Hall, Holyday, Lindsay Luby, Mammoliti, Milczyn, Nunziata and Saundercook (9);**  
**Against: Councillor Ford (1); and**  
**Absent: Councillor Palacio (1.)**

C. On motion by Councillor Saundercook, the Etobicoke York Community Council requested the General Manager, Parks, Forestry and Recreation, in consultation with Legal staff, to report to the Economic Development and Parks Committee on a procedure to enable the community to appeal a decision of City Council to the Ontario Municipal Board, regarding the removal of trees on private property. **(Carried on the following recorded vote:**

**For: Councillors Di Giorgio, Grimes, Hall, Holyday, Lindsay Luby, Mammoliti, Milczyn and Saundercook (8);**  
**Against: Councillors Ford and Nunziata (2); and**  
**Absent: Councillor Palacio (1.)**

**(Report 4, Clause 5)**

**4.7 Removal of One Privately Owned Tree at 153 The Kingsway  
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a revised report (April 29, 2005) from the General Manager, Parks, Forestry and Recreation, on an application for a permit to remove a 125 cm diameter silver maple tree (*Acer saccharinum*) located at the rear of 153 The Kingsway.

Recommendation:

It is recommended that the request for a permit to remove the privately owned 125 cm diameter silver maple tree at 153 The Kingsway, be denied.

Jason Young appeared before the Etobicoke York Community Council in connection with this matter.

- A. Councillor Milczyn moved that the Etobicoke York Community Council recommend to City Council adoption of the staff recommendation in the Recommendation Section of the report (April 29, 2005) from the General Manager, Parks, Forestry and Recreation. **(Lost on the following recorded vote:**  
**For: Councillors Hall, Lindsay Luby, Mammoliti and Milczyn (4);**  
**Against: Councillors Di Giorgio, Ford, Grimes, Nunziata, and Palacio (5); and**  
**Absent: Councillor Holyday and Saundercook (1).)**
- B. On motion by Councillor Di Giorgio, the Etobicoke York Community Council recommended to City Council that the request for the removal of the privately owned tree located at 153 The Kingsway, be approved, conditional on:
- (1) the owner agreeing to implement the planting plan on file with Urban Forestry Services; and
  - (2) approval from the Committee of Adjustment for the building plan application, if such application is necessary. **(Carried on the following recorded vote:**  
**For: Councillors Di Giorgio, Grimes, Ford, Nunziata and Palacio (5);**  
**Against: Councillors Hall, Lindsay Luby, Mammoliti and Milczyn (4);**  
**Absent: Councillors Saundercook and Holyday (2).)**

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- C. On motion by Councillor Milczyn, the Etobicoke York Community Council requested the General Manager, Parks, Forestry and Recreation, to report directly to the May 17, 2005 meeting of City Council on the issue of bacterial contamination of trees, methods of eradication, and an analysis of the tree at 153 The Kingsway to determine the existence of any bacterial contamination.
  
- D. On motion by Councillor Nunziata, the Etobicoke York Community Council further requested the owner of 153 The Kingsway to provide the General Manager, Parks, Forestry and Recreation, with supporting medical documentation as stated at the Community Council meeting, prior to the May 17, 2005 meeting of City Council.

(Sent to: Jason Young; c. Brenda Librecz, General Manager, Parks, Forestry and Recreation – May 6, 2005)

**(Report 4, Clause 6)**

**4.8. Inclusion on the City of Toronto Inventory of Heritage Properties  
2700 Eglinton Avenue West (York Civic Centre)  
(Ward 12 – York South-Weston)**

The Etobicoke York Community Council considered a report (March 8, 2005) from the Commissioner, Economic Development, Culture and Tourism.

Recommendations:

It is recommended that:

- (1) Council include the property at 2700 Eglinton Avenue West (York Civic Centre) on the City of Toronto Inventory of Heritage Properties; and
  
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Etobicoke York Community Council also considered a communication (April 8, 2005) from the Toronto Preservation Board recommending to the Etobicoke York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report dated (March 8, 2005) from the Commissioner, Economic Development, Culture and Tourism.

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 8, 2005) from the Commissioner, Economic Development, Culture and Tourism.

**(Report 4, Clause 7)**

**4.9 Appointment to the Montgomery's Inn Community Museum Board  
(Ward 4 – Etobicoke Centre)**

The Etobicoke York Community Council considered a report (April 7, 2005) from the Commissioner of Economic Development, Culture and Tourism.

Recommendations:

It is recommended that:

- (1) the Etobicoke York Community Council nominate the selected representative listed in Confidential Attachment No. 1 from the Etobicoke Historical Society to the Montgomery's Inn Community Museum Board for a term expiring November 30, 2006, or until a successor is appointed; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

- (1) City Council appoint the selected representative from the Etobicoke Historical Society listed in Confidential Attachment No. 1, to the Montgomery's Inn Community Museum Board, for a term expiring November 30, 2006, or until a successor is appointed; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(Confidential Attachment No. 1 referred to in this report, was forwarded to all Members of Council under separate cover because the subject matter relates to personal matters about identifiable individuals, including municipal or local board employees.)

**(Report 4, Clause 8)**

**4.10 Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences  
68 Rathburn Road (Ward 4 – Etobicoke Centre)**

The Etobicoke York Community Council considered a report (March 18, 2005) from the District Manager, Municipal Licensing and Standards, regarding an application submitted by the owner, requesting an exemption to the Toronto Municipal Code, Chapter 447, Fences, to maintain a closed board wooden fence to a height of 1.93 metres on the west boundary, within the front yard of the property.

Recommendations:

It is recommended that the request for the exemption be refused based on non-compliance with the requirements set out in the Chapter.

On motion by Councillor Lindsay Luby, the Etobicoke York Community Council deferred the report to its next meeting on May 31, 2005.

(Sent to: Maria Fantilli; Edward Sado; Michael Fantilli; c. District Manager, Municipal Licensing and Standards – May 6, 2005)

**(Report 4, Clause 27(b))**

**4.11 Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences  
304 Old Weston Road (Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (April 18, 2005) from the District Manager, Municipal Licensing and Standards, regarding an application submitted by the owners of 304 Old Weston Road, to request an exemption to the Toronto Municipal Code, Chapter 447, Fences, to allow an existing closed wood board fence at the rear yard to remain on site.

Recommendation:

It is recommended that the application be refused and the fence cut down to a maximum permitted height of 2 metres on both the north and south sides of the property.

On motion Councillor Palacio, the Etobicoke York Community Council recommended to City Council that:

- (1) the application for an exemption to the Toronto Municipal Code, Chapter 447, Fences, to allow an existing closed wood board fence at the rear yard to remain at 304 Old Weston Road, be approved; and

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

**(Report 4, Clause 9)**

**4.12 Application for Outdoor Café Encroachment at 3575 Lake Shore Boulevard West  
(Ward 6 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (April 13, 2005) from the District Manager, Municipal Licensing and Standards.

Recommendation:

It is recommended that this application to lease 9.14 square metres (4.35 metres x 1.75 metres + 1.75 metres x 1.75 metres ÷ 2) of the municipal boulevard as an outdoor café patio, located at the front of the premises at 3575 Lake Shore Boulevard West (Attachment No. 2), be approved, in accordance with the former Municipality of Metropolitan Toronto By-law No. 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. All fees are subject to change;
- (3) comply at all times with regulations set out in the former Municipality of Metropolitan Toronto By-law 41-93, as amended;
- (4) provide a certificate of insurance evidencing a third party bodily injury and/or property damage insurance in the amount of two million dollars (\$2,000,000.00), or such other coverage and greater amount as the City of Toronto may require, and naming the City of Toronto as an additional insured party under the policy; and
- (5) obtain a construction/streets occupation permit prior to the commencement of any construction.

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 (April 13, 2005) from the District Manager, Municipal Licensing and Standards.

**(Report 4, Clause 10)**

**4.13 Request for Extension of Operating Hours for Outdoor Café at  
3653 Lake Shore Boulevard West (Ward 6 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (April 11, 2005) from the District Manager, Municipal Licensing and Standards, regarding a request from the owner and operator of "Southside Johnny's" to extend the hours of operation of the Outdoor Cafe from 9:00 a.m. to 11:00 p.m. Sunday to Thursday; from 9:00 a.m. to 12:00 midnight Friday and Saturday.

Recommendation:

It is recommended that the hours of operation of the Outdoor Café be extended between 9:00 a.m. and 11:00 p.m. Sunday thorough Saturday.

The Etobicoke York Community Council also considered the following communications:

- (i) (May 2, 2005) from Michael and Leah Tomins; and
- (ii) (May 2, 2005) from Jim Rupert and family.

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

- (1) recommended to City Council that:
  - (a) the hours of operation of the outdoor Café be extended between 9:00 a.m. and 11:00 p.m. Monday to Saturday; and
  - (b) the hours of operation for the Outdoor Café on Sunday, be between the hours of 10:00 a.m. and 11:00 p.m.; and
- (2) requested the District Manager, Municipal Licensing and Standards, to report to Council in one (1) year on any complaints received regarding noise issues resulting from the operation of this outdoor café, after the hours of 11:00 p.m.

**(Report 4, Clause 11)**

**4.14 Preliminary Report – Official Plan Amendment and Rezoning Application  
Applicant: Bousfields Inc.; Architect: John Culmone  
Owner: Beckington Holdings Ltd. – 400 The East Mall  
(Ward 3 – Etobicoke Centre)**

The Etobicoke York Community Council considered a report (April 19, 2005) from the Director, Community Planning, West District, providing preliminary information on the



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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 Holyday, the Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (April 19, 2005) from the Director, Community Planning, West District, subject to Recommendation (2) being amended to read as follows:

“(2) notice for the community consultation meeting be given to landowners and residents within an area to be determined in consultation with the Councillors for Wards 5 and 6;” and

further, that the applicant be responsible for the costs associated with the expanded notification area.

(Sent to: Bousfields Inc., c. Director, Community Planning, West District - May 6, 2005

**(Report 4, Clause 27(c))**

**4.15 Exemption from Part-Lot Control – Weston Country Properties Ltd.  
2209 Weston Road (Ward 11 – York South-Weston)**

The Etobicoke York Community Council considered a report (April 19, 2005) from the Director, Community Planning, West District, to consider an application for approval to lift Part-Lot Control for a residential freehold development containing 6 semi-detached and 60 townhouse units, thereby allowing the creation of separate lots for the 66 units, on lands municipally known as 2209 Weston Road.

Recommendations:

It is recommended that City Council:

- (1) pass a Part-Lot Control Exemption By-law, with respect to the subject lands, prepared to the satisfaction of the City Solicitor, and that such By-law shall expire one year after it has been enacted;
- (2) authorize the City Solicitor to introduce the necessary Bill after such time that:
  - (a) all tax arrears and/or current taxes owing are paid in full; and
  - (b) the owner has registered, satisfactory to the City Solicitor, a Section 118 restriction under the Land Titles 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;
- (3) authorize the City Solicitor 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) authorize and direct the appropriate City officials to register the By-law on title of the lands.

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 (April 19, 2005) from the Director, Community Planning, West District.

**(Report 4, Clause 12)**

**4.16 Approval Under the *Cemeteries Act (Revised)* - Site Plan Approval Application  
Applicant: Robert A. Dragicevic, Walker, Nott, Dragicevic Associates Limited  
Architect: Baird Sampson Neuert Architects 1450 St. Clair Avenue West  
(Prospect Cemetery) (Ward 17- Davenport)**

The Etobicoke York Community Council considered a report (April 19, 2005) from the Director, Community Planning, West District, to seek Council's approval under the *Cemeteries Act (Revised)* to permit the conversion of an existing chapel and office building into a mausoleum and administrative office to be located in Prospect Cemetery at 1450 St. Clair Avenue West.

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Recommendations:

It is recommended that City Council:

- (1) grant approval of the proposal to increase the capacity of Prospect Cemetery at 1450 St. Clair Avenue West with a mausoleum containing approximately 1230 crypts, subject to:
  - (a) site plan approval being granted to the satisfaction of the Director of Community Planning, West District; and
  - (b) the owner paying for the cost of publishing the “Notice of Decision” of Council’s approval;
- (2) authorize the City Clerk, subsequent to Council’s approval of the proposal and under the requirements of the *Cemeteries Act (Revised)* to:
  - (a) publish the “Notice of Decision” of Council’s approval of the mausoleum development in a local newspaper; and
  - (b) send a copy of City Council’s decision to the applicant and the Registrar, Ministry of Consumer and Business Services, Cemeteries Regulation Unit; and
- (3) authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

The Etobicoke York Community Council also considered a communication (April 1, 2005) from Robert A. Dragicevic, Walker, Nott, Dragicevic Associates Limited.

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 (April 19, 2005) from the Director, Community Planning, West District.

**(Report 4, Clause 13)**

**4.17 Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code for a Temporary Non-illuminated Banner Sign on the South Wall of Molson's Brewhouse (April to September, 2005)  
1 Carlingview Drive (Ward 2 – Etobicoke North)**

The Etobicoke York Community Council considered a report (April 15, 2005) from the Director of Building and Deputy Chief Building Official regarding a request by Carole Berry, on behalf of Molson Canada., for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to permit a temporary non-illuminated banner sign on the south wall of Molson's Brewhouse at 1 Carlingview Drive.

Recommendations:

It is recommended that:

- (1) the request for variances be approved for the reasons outlined in this report;
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit, and
- (3) the applicant be advised that approval will be required from the Ministry of Transportation for the banner sign before a sign permit can be issued.

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 (April 15, 2005) from the Director of Building and Deputy Chief Building Official.

**(Report 4, Clause 14)**

**4.18 Naming of Private Lane at 165 Dixon Road (Ward 4 – Etobicoke Centre)**

The Etobicoke York Community Council considered a report (April 15, 2005) from the City Surveyor.

Recommendations:

It is recommended that:

- (1) the proposed private lane at the 165 Dixon Road, be named "Tamarack Circle";

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- (2) Metropolitan Toronto Condominium Corporation 771 pay the costs estimated to be in the amount of \$210.00, for the fabrication and installation of a street name sign; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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 (April 15, 2005) from the City Surveyor.

**(Report 4, Clause 15)**

**4.19 Reduction of the Speed Limit from 50 km/h to 40 km/h on The Kingsway between Anglesey Boulevard and Dundas Street (Ward 4 – Etobicoke Centre)**

The Etobicoke York Community Council considered a report (April 19, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) the 40 km/h speed limit on The Kingsway, between Anglesey Boulevard and Kipling Avenue be rescinded;
- (2) a 40 km/h speed limit on The Kingsway, between Dundas Street West and Kipling Avenue 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 Lindsay Luby, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (April 19, 2005) from the Director, Transportation Services, West District.

**(Report 4, Clause 16)**

**4.20 Proposed No Parking Prohibition on the South Side of St. Clair Avenue West  
(Ward 11 – York South-Weston)**

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

Recommendations:

It is recommended that:

- (1) the current “No Parking, 7:00 a.m. to 9:00 a.m., and 4:00 p.m. to 6:00 p.m., Monday to Friday” prohibition on the south side of St. Clair Avenue West between Runnymede Road and Jane Street, be rescinded;
- (2) parking be prohibited at all times on the south side of St. Clair Avenue West between Runnymede Road and Jane Street; 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 Nunziata, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (April 4, 2005) from the Director, Transportation Services, West District.

**(Report 4, Clause 17)**

**4.21 Establishment of a “Disabled Persons’ Loading Zone” Regulation  
Davenport Road, North side, from a point 4.5 metres west of Perth Avenue  
to a Point 11 metres further west (Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (April 19, 2005) from the Director, Transportation Services, West District.

Recommendations:

It is recommended that:

- (1) a designated on-street disabled loading zone be established on the north side of Davenport Road, from a point 4.5 metres west of Perth Avenue to a point 11 metres further west;

- (2) standing be prohibited at all times on the north side of Davenport Road, from a point 4.5 metres west of Perth Avenue to a point 11 metres further west; and
- (3) appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Palacio, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (April 19, 2005) from the Director, Transportation Services, West District.

**(Report 4, Clause 18)**

**4.22 Poll Results – One way Operation Southbound on Gillespie Avenue between Davenport Road and Connolly Street (Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (April 12, 2005) from the City Clerk providing the results of a resident poll to determine support for a one-way operation southbound on Gillespie Avenue between Davenport Road and Connolly Street.

Recommendation:

It is recommended that a one-way southbound regulation not be introduced on Gillespie Avenue, between Davenport Road and Connolly Street, since the poll results did not meet the over 50 percent criteria.

On motion by Councillor Palacio, the Etobicoke York Community Council deferred the report to its next meeting on May 31, 2005.

**(Report 4, Clause 27(d))**

**4.23 Appointment to the Swansea Town Hall Board of Management (Ward 13 – Parkdale-High Park)**

The Etobicoke York Community Council considered a communication (April 12, 2005) from the Executive Director, Swansea Town Hall, requesting that Susan Zalepa be appointed as a Director on the Board of Management of the Swansea Town Hall.

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On motion by Councillor Saundercook, the Etobicoke York Community Council recommended to City Council the appointment of Susan Zalepa as a Director on the Board of Management of the Swansea Town Hall.

**(Report 4, Clause 19)**

**4.24 Designation of Jamaica Independence Day Celebration as a Community Event (Keeleedale Park) (Ward 12 – York South-Weston)**

The Etobicoke York Community Council considered a communication (April 6, 2005) from Cornel Davis, Independent Promotions Entertainment Group Inc., requesting that the Jamaican Independence Day Celebration, to be held on July 23, 2005, at Keeleedale Park, 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 Nunziata, the Etobicoke York Community Council recommended to City Council, that for liquor licensing purposes, the Jamaica Independence Day Celebration, to be held on July 23, 2005, at Keeleedale Park, 2801 Eglinton Avenue West, be declared a community festival of municipal 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, subject to Independent Promotions Entertainment Group Inc. notifying 12 Division, Toronto Police Service, of the event and complying with its requirements regarding security.

**(Report 4, Clause 20)**

**4.25 Sale of Surplus Property – Vacant Parcel at the Rear of 37 Poplar Avenue (Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (April 18, 2005) from the Chief Corporate Officer.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from Ahmad Abdo to purchase the City-owned landlocked vacant parcel of land located at the rear of 37 Poplar Avenue, being part of Block A, Plan 2154, and shown as Part 2 on attached Sketch PS-2001-062 (the “Property”), in the amount of \$12,000.00 be accepted substantially on the terms and conditions outlined in the body of this report, and that either one of the Chief



Corporate Officer 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 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 Milczyn, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (April 18, 2005) from the Chief Corporate Officer.

**(Report 4, Clause 21)**

**4.26 Installation/Removal of On-street Parking Spaces for Persons with Disabilities  
(Ward 13 – Parkdale-High Park and Ward 17 – Davenport)**

The Etobicoke York Community Council considered a report (April 18, 2005) from the Director, Transportation Services, West District, regarding requests for the installation/removal of a number of on-street disabled persons' parking spaces.

Recommendations:

It is recommended that:

- (1) the existing on-street parking space for persons with disabilities on Woodcroft Crescent, west side, between a point 15 metres north of Hatherley Road and a point 7.5 metres further north, be removed;
- (2) an on-street parking space for persons with disabilities be established on Glenlake Avenue, south side, between a point 18.5 metres east of Pine Crest Road and a point 5.5 metres further east; 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 (April 18, 2005) from the Director, Transportation Services, West District.

**(Report 4, Clause 22)**

**4.27 Amendment to the Purchase Price for the Sale of Vacant Land at the Rear of 160 Symes Road (Ward 11 – York South Weston)**

The Etobicoke York Community Council considered a report (April 26, 2005) from the Chief Corporate Officer, to authorize an abatement in the purchase price for the sale of a vacant parcel of City-owned land located at the rear of 160 Symes Road to reflect a decrease in the size of the parcel.

Recommendations:

It is recommended that:

- (1) pursuant to an Agreement of Purchase and Sale between the City and Le Dots Inc. dated July 28, 2004, the purchase price of \$202,000.00 for the parcel of vacant land at the rear of 160 Symes Road, being Block 3 on Plan 66M-2324 and part of Block 1 on Plan 66M-2324 and designated as Part 2 on Plan 66R-21612, be reduced by the amount of \$4,400.00;
- (2) 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 and other relevant dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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 (April 26, 2005) from the Chief Corporate Officer.

**(Report 4, Clause 23)**

**4.28 Declaration of the “Salsa Festival” as a Community Event (Ward 17 – Davenport)**

The Etobicoke York Community Council considered a communication (May 2, 2005) from Councillor Cesar Palacio (Ward 17 – Davenport) requesting that the “Salsa Festival” to be held on Saturday, June 11, 2005, at Earls court Park, between the hours of 11:00 a.m. and 11:00 p.m., be declared an event of municipal significance 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 “Salsa Festival” to be held on Saturday, June 11, 2005, at Earls court Park, between the hours of 11:00 a.m. and 11:00 p.m., 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 4, Clause 24)**

**4.29 Reconstruction of Royal York Road - Implementation of Bike Lanes on Stephen Drive and Norseman Street (Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke York Community Council considered a report (May 2, 2005) from the Director, Transportation Services, Etobicoke York District, responding to the request from the Works Committee that the Acting General Manager of Transportation Services report to the Etobicoke York Community Council at its meeting of May 3, 2005, with a request that they report to City Council on May 17, 2005, on the implementation of bike lanes on Stephen Drive and Norseman Street, west of Royal York Road, during reconstruction in 2006, and that this matter be considered along with the Royal York Road reconstruction project.

Recommendation

It is recommended that the Acting General Manager of Transportation report further to the Etobicoke York Community Council on the details of the provision of cycling facilities on Stephen Drive and Norseman Street, prior to the 2006 construction season.

On motion by Councillor Milczyn, the Etobicoke York Community Council received the report (May 2, 2005) from the Director, Transportation Services, Etobicoke York District.

(Sent to: City Council; Interested Persons; c. Director, Transportation Services, Etobicoke York District – May 6, 2005)

**(Report 4, Clause 27(e))**

**4.30 Prohibition of Stopping Regulation on Windermere Avenue, West Side, from Bloor Street West to a Point 65.5 metres further North (Ward 13 – Parkdale-High Park)**

On motion by Councillor Saundercook, the Etobicoke York Community Council allowed the introduction of a report (May 2, 2005) from the Director, Transportation Services, Etobicoke York District, on prohibiting stopping on the west side of Windermere Avenue from Bloor Street West to a point 65.5 metres further north.

Recommendation:

It is recommended that:

- (1) the existing parking prohibition at all times on the west side of Windermere Avenue, from Bloor Street West to a point 65.5 metres further north, be rescinded;
- (2) stopping be prohibited at all times on the west side of Windermere Avenue, from Bloor Street West to a point 65.5 metres further north; and
- (3) appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Saundercook, the Etobicoke York Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report (May 2, 2005) from the Director, Transportation Services, Etobicoke York District.

**(Report 4, Clause 25)**

**4.31 Declaration of “Summer Fiesta” and “Fiestas Patronals De El Salvador De El Mundo” as Community Events (Ward 7 – York West)**

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

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WHEREAS the North Islington Seniors will be hosting their annual Summer Fiesta on June 25, at St. Gaspar School and Plunkett Park; and

WHEREAS Superstars Sports Cultural and Social Club will be hosting their annual “Fiestas Patronals De El Salvador De El Mundo” at Downsview Arena on August 5, 6 and 7; and

WHEREAS these events be considered to be community events; and

WHEREAS these events will include a Special Occasion Beer Garden; and

WHEREAS the Alcohol and Gaming Commission of Ontario requires that for events of this nature, approval be granted by City Council; and

WHEREAS it is recommended that:

- (1) permission be granted to hold this Special Occasion Beer Garden Permit event;
- (2) a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario be obtained;
- (3) a \$50.00 facility permit fee and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site be charged;
- (4) proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured be provided;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group’s expense;
- (6) all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event be complied with; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

THEREFORE BE IT RESOLVED THAT City Council, for liquor licensing purposes, declare the Annual Summer Fiesta and the Fiestas Patronals De El Salvador De El Mundo to be events of municipal and/or community significance; and that the Alcohol and Gaming Commission of Ontario be advised that the City has no objection to these events taking place.

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On motion by Councillor Mammoliti, the Etobicoke York Community Council recommended to City Council adoption of the motion.

**(Report 4, Clause 26)**

The meeting adjourned at 2:00 p.m.

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Chair