



**ETOBICOKE YORK COMMUNITY COUNCIL
DECISION DOCUMENT
MEETING 1**

Report 1 to be considered by City Council on January 31, February 1 and 2, 2006

Date of Meeting:	Tuesday, January 17, 2006	Enquiry:	Glenda Jagai
Time:	9:30 a.m.		Committee Administrator
Location:	Council Chambers		416-394-8101
	Etobicoke Civic Centre		etcc@toronto.ca
	399 The West Mall		
	Toronto, Ontario		

The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the minutes for the official record.

How to Read the Decision Document:

- *recommendations of the Committee to City Council are in bold type after the item heading;*
- *action taken by the Committee on its own authority does not require Council's approval – it is reported to Council for information, and is listed in the decision document in bold type under the heading "Action taken by the Committee"; and*
- *Declarations of Interest, if any, appear at the end of an item.*

Minutes Confirmed - Meeting of November 15, 2005.

Communications/Reports:

- 1. Final Report – Official Plan Amendment and Rezoning Application**
Applicant: Lorne Persiko, Toronto Parking Authority for the City of Toronto
15 Primrose Avenue (Ward 6 – Etobicoke-Lakeshore)

Report 1, Clause 1

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 22, 2005) from the Director, Community Planning, Etobicoke York District.

The Etobicoke York Community Council held a statutory Public Meeting on January 17, 2006, and notice was given under the *Planning Act*.

Report (December 22, 2005) from the Director, Community Planning, Etobicoke York District, recommending approval of an application to amend the official Plan and the Zoning Code for a new commercial parking lot at 15 Primrose Avenue, and to modify the new City of Toronto Official Plan to recognize the existing parking lot at 16 Superior 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. 7;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required; and
- (4) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 6 to this report.

**2. Final Report – Rezoning Application; Applicant: Mario Faroane;
Architect: Gary Zebroski, Zebroski Associates Ltd. Architect
129 Fenmar Drive (Ward 7 – York West)**

Report 1, Clause 24(a)

Action taken by the Committee:

This public meeting was cancelled and the report (December 22, 2005) from the Director, Community Planning, Etobicoke York District, was withdrawn from the Agenda. The Public meeting will be rescheduled for April 4, 2006.

The Etobicoke York Community Council requested that the applicant be responsible for the costs associated with the mailing out of a second Notice of Public Meeting.

3. Final Report – Official Plan Amendment and Rezoning Application
Applicant: Pedro Pimentel, Pedro Pimentel Architect
147 Brandon Avenue (Ward 17 – Davenport)

Report 1, Clause 2

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 22, 2005) from the Director, Community Planning, Etobicoke York District.

The Etobicoke York Community Council held a statutory Public Meeting on January 17, 2006, and notice was given under the *Planning Act*.

Report (December 22, 2005) from the Director, Community Planning, Etobicoke York District, recommending approval of an application to amend the former City of Toronto Official Plan and the Zoning By-law No. 438-86 to redevelop an existing industrial property for residential uses to include five semi-detached houses at 147 Brandon Avenue.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6;
- (2) amend the Zoning By-law No. 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and the draft Zoning By-law Amendment as may be required;
- (4) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 7; and
- (5) before introducing the necessary Bills to City Council for enactment, require the applicant to make application for Site Plan Approval under Section 41 of the Planning Act.

**4. Removal of One Privately Owned Tree – 65 Avonhurst Road
(Ward 5 – Etobicoke-Lakeshore)**

Report 1, Clause 3

The Etobicoke York Community Council recommends that City Council approve the application for a permit to remove one (1) privately owned black walnut tree at 65 Avonhurst Road, conditional upon:

- (1) a building permit being issued for the proposed construction of the two-storey addition with an attached two-car garage; and**
- (2) the owner replanting four (4) 50 mm replacement trees on the property that are acceptable to the General Manager, Parks, Forestry and Recreation, after the proposed addition has been completed.**

Action taken by the Committee:

The Etobicoke York Community Council received the report (November 29, 2005) from the General Manager, Parks, Forestry and Recreation, on the Private Arborist and Conflict of Interest.

Clause 4 of Report 9 of the Etobicoke York Community Council, titled “Removal of One Privately Owned Tree – 65 Avonhurst Road (Ward 5 – Etobicoke-Lakeshore)”, which City Council, on December 5, 6 and 7, 2005, referred back to the Etobicoke York Community Council, containing a report (October 17, 2005) from the General Manager, Parks, Forestry and Recreation.

Recommendation:

It is recommended that:

- (1) the request for permit to remove one (1) privately owned tree at 65 Avonhurst Road be denied; and
 - (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- 4(a)** Report (November 29, 2005) from the General Manager, Parks, Forestry and Recreation, reporting on the private arborist report submitted by Davey Tree Expert Company of Canada Limited, recommending that the black walnut tree (*Juglans nigra*) at 65 Avonhurst Road be removed, and on whether there is a conflict of interest if the Davey Tree Expert Company of Canada Limited, receives the contract to remove the tree.

Recommendation:

It is recommended that this report be received for information.

- 4(b) Communication (January 13, 2006) from an area resident.
- 4(c) Petition (September 2005) containing eighteen (18) signatures, and thirteen (13) communications from area residents in support of the removal of the black walnut tree at 65 Avonhurst Road.

Recorded vote on a motion by Councillor Milczyn that City Council adopt the staff recommendations in the Recommendations Section of the report (October 17, 2005) from the General Manager, Parks, Forestry and Recreation:

For: Councillors Saundercook, Palacio, Lindsay Luby, Hall and Milczyn
Against: Councillors Grimes, DiGiorgio, Nunziata, Holyday, Mammoliti and Ford

Motion Lost.

Recorded vote on the application for a permit to remove one (1) privately owned black walnut tree at 65 Avonhurst Road, be approved, moved by Councillor Ford.

For: Councillors Grimes, DiGiorgio, Nunziata, Holyday, Mammoliti, and Ford
Against: Councillors Saundercook, Palacio, Lindsay Luby, Hall, and Milczyn

Carried.

Recorded vote on Motion (1), moved by Councillor Nunziata:

For: Councillors Grimes, DiGiorgio, Palacio, Nunziata, Holyday, Milczyn, Mammoliti, and Ford
Against: Councillors Saundercook, Lindsay Luby, and Hall

Carried.

Recorded vote on Motion (2), moved by Councillor Grimes:

For: Councillors Grimes, DiGiorgio, Palacio, Nunziata, Holyday, Milczyn, Mammoliti, and Ford
Against: Councillors Saundercook, Lindsay Luby, and Hall

Carried.

**5. Removal of One Privately Owned Tree – 37 Benway Drive
(Ward 2 – Etobicoke North)**

Report 1, Clause 24(b)

Action taken by the Committee:

The Etobicoke York Community Council deferred consideration of the report (November 17, 2005) from the General Manager, Parks, Forestry and Recreation to its February 7, 2006 meeting.

Report (November 17, 2005) from the General Manager, Parks, Forestry and Recreation, regarding an application that has been received for a permit to remove one privately owned tree located at the front of 37 Benway Drive.

Recommendations:

It is recommended that:

- (1) the request for permit to remove one privately owned 39 centimetre Colorado blue spruce tree at 37 Benway Drive be denied; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**6. Removal of One Privately Owned Tree – 24 Neilor Crescent
(Ward 3 – Etobicoke Centre)**

Report 1, Clause 4

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 8, 2005) from the General Manager, Parks, Forestry and Recreation.

Report (December 8, 2005) from the General Manager, Parks, Forestry and Recreation, regarding an application that has been received for a permit to remove one privately owned tree located at the front of 24 Neilor Crescent.

Recommendations:

It is recommended that:

- (1) the request for permit to remove one privately owned 35 centimetre Colorado blue spruce tree at 24 Neilor Crescent be denied; and

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

Recorded vote on a motion by Councillor Holyday:

- (1) That the application for a permit to remove the privately owned Colorado blue spruce tree located at the front of 24 Neilor Crescent, be approved, conditional upon the owner planting a replacement tree that is acceptable to the General Manager, Parks, Forestry and Recreation; and
- (2) That the report (December 8, 2005) from the General Manager, Parks, Forestry and Recreation, be received.

For: Councillors DiGiorgio, Nunziata, Holyday, Mammoliti, and Ford
Against: Councillors Grimes, Saundercook, Palacio, Lindsay Luby, Hall, and Milczyn

Motion Lost.

Recorded vote on a motion by Councillor Hall that City Council adopt the staff recommendations in the Recommendations Section of the report (December 8, 2005) from the General Manager, Parks, Forestry and Recreation:

For: Councillors Grimes, Saundercook, Palacio, Lindsay Luby, Hall, and Milczyn
Against: Councillors DiGiorgio, Nunziata, Holyday, Mammoliti, and Ford

Carried.

**7. Removal of One Privately Owned Tree – 19 Kingsgarden Road
(Ward 5 – Etobicoke-Lakeshore)**

Report 1, Clause 5

The Etobicoke York Community Council recommends that:

- (1) **the application for a permit to remove one (1) privately owned 97 centimetre silver maple tree located at the rear of 19 Kingsgarden Road be approved, conditional upon:**
 - (a) **a building permit being issued for the proposed construction of a two-storey addition at the rear of 19 Kingsgarden Road; and**

- (b) **the owner replanting replacement trees on the property that are acceptable to the General Manager, Parks, Forestry and Recreation; and**
- (2) **the report (December 5, 2005) from the General Manager, Parks, Forestry and Recreation, be received.**

Report (December 5, 2005) from the General Manager, Parks, Forestry and Recreation, regarding an application that has been received for a permit to remove one privately owned tree located at the rear of 19 Kingsgarden Road.

Recommendations:

It is recommended that:

- (1) the request for permit to remove one privately owned 97 centimetre silver maple tree located at the rear of 19 Kingsgarden Road be denied; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Recorded vote on Recommendations (1)(a) and (b) and (2) by Councillor Milczyn:

For: Councillors Grimes, DiGiorgio, Palacio, Lindsay Luby, Nunziata, Holyday, Milczyn, Mammoliti, and Ford
Against: Councillor Hall
Absent: Councillor Saundercook

Carried.

**8. Removal of One Privately Owned Tree – 64 Harding Avenue
(Ward 12 – York South-Weston)**

Report 1, Clause 24(c)

Action taken by the Committee:

The Etobicoke York Community Council deferred consideration of the report (December 9, 2005) from the General Manager, Parks, Forestry and Recreation to its February 7, 2006 meeting.

Report (December 9, 2005) from the General Manager, Parks, Forestry and Recreation, regarding an application that has been received for a permit to remove one privately owned tree located at the front of 64 Harding Avenue.

Recommendations:

It is recommended that:

- (1) the request for permit to remove one privately owned 58 centimetre Colorado blue spruce tree at 64 Harding Avenue be denied; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

9. Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for an Illuminated Third Party Standard Outdoor Advertising Roof Sign at 3246 Lakeshore Boulevard West (Ward 6 – Etobicoke-Lakeshore)

Report 1, Clause 6

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 15, 2005) from the Director of Building and Deputy Chief Building Official.

Report (December 15, 2005) from the Director of Building and Deputy Chief Building Official, regarding a request by Mr. Isaiah Von Lichtenberg for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit an Illuminated Third Party Standard Outdoor Advertising Roof sign at 3246 Lakeshore Boulevard West.

Recommendation:

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

- 9(a)** Communication (January 15, 2006) from Albert Kwan;
- 9(b)** Communication (January 15, 2006) from Kate Opashinov;
- 9(c)** Communication (January 15, 2006) from Liz Hayward;
- 9(d)** Communication (January 15, 2006) from Alison Gorbould;
- 9(e)** Communication (January 15, 2006) from Alice Barton;
- 9(f)** Communication (January 15, 2006) from Emily Tu.

- 9(g) Communication (January 16, 2006) from Stewart Russell;
- 9(h) Communication (January 16, 2006) from Ashlee Cooper;
- 9(i) Communication (January 16, 2006) from Darren Cooney; and
- 9(j) Communication (January 17, 2006) from Ron Nurwisah.

10. Proposed Exclusive Right Turn Lane – Southbound on Royal York Road at Eglinton Avenue West and Southbound on Royal York Road at Lawrence Avenue West/The Westway (Ward 2 – Etobicoke North) and (Ward 4 – Etobicoke Centre)

Report 1, Clause 24(d)

Action taken by the Committee:

The Etobicoke York Community Council deferred consideration of the report (December 13, 2005) from the Director, Transportation Services, Etobicoke York District to its February 7, 2006 meeting to allow the Councillors of Ward 2 – Etobicoke North and Ward 4 – Etobicoke Centre to hold community consultation meetings.

Report (December 13, 2005) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) the southbound curb lane on Royal York Road at Eglinton Avenue West be designated for right turning vehicles only, buses excepted, from Eglinton Avenue West to a point 30.5 metres northerly thereof;
- (2) the southbound curb lane on Royal York Road at Lawrence Avenue West/The Westway be designated for right turning vehicles only, buses excepted, from Lawrence Avenue/The Westway to a point 30.5 metres northerly thereof; 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.

**11. Proposed “No Parking Anytime” Prohibition on Racine Road
(Ward 2 – Etobicoke North)**

Report 1, Clause 7

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 13, 2005) from the Director, Transportation Services, Etobicoke York District.

Report (December 13, 2005) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) the existing “No Parking Anytime” regulations on the north and south sides of Racine Road be rescinded;
- (2) a “No Parking Anytime” regulation on both sides of Racine Road between Martin Grove Road 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.

**12. Proposed Installation of a U-Turn Prohibition on Islington Avenue between Bergamot Avenue and a point 200.0 metres south of Bergamot Avenue
(Ward 2 – Etobicoke North)**

Report 1, Clause 8

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 6, 2005) from the Director, Transportation Services, Etobicoke York District.

Report (December 6, 2005) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) U-turns be prohibited anytime for northbound traffic on Islington Avenue, between Bergamot Avenue and a point 200.0 metres south of Bergamot 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.

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

Report 1, Clause 9

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 13, 2005) from the Director, Transportation Services, Etobicoke York District.

Report (December 13, 2005) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) the existing parking space for persons with disabilities on McRoberts Avenue, west side, between a point 168 metres north of St. Clair Avenue West and a point 5.5 metres further north, be removed;
- (2) the existing on-street parking space for persons with disabilities on Townsley Street, north side, between a point 29 metres west of Old Weston Road and a point 5.5 metres further west, be removed;
- (3) an on-street parking space for persons with disabilities be established on Mavity Street, east side, between a point 11 metres south of Annette Street and a point 5.5 metres further south;
- (4) two on-street parking spaces for persons with disabilities be established on Kipping Avenue, south side, between a point 9 metres east of Prescott Avenue and a point 11 metres further east; 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.

14. Request for Approval of Variance from Ch. 215, Signs, of the former City of Etobicoke Municipal Code for the Installation of Fascia and Ground Signs at 370 Rexdale Boulevard (Ward 2 – Etobicoke North)

Report 1, Clause 10

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 16, 2005) from the Director of Building and Deputy Chief Building Official.

Report (December 16, 2005) from the Director of Building and Deputy Chief Building Official, regarding a request by Robert Gill with The Brothers Markle for H & R Developments for approval of a variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to permit three identification fascia signs, one informational/incidental fascia sign and one business identification ground sign to be installed at 370 Rexdale Boulevard.

Recommendations:

It is recommended that:

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

15. Request for Approval of Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for the Installation of Fascia Signs at 5 Carlson Court (Ward 2 – Etobicoke North)

Report 1, Clause 11

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 19, 2005) from the Director of Building and Deputy Chief Building Official.

Report (December 19, 2005) from the Director of Building and Deputy Chief Building Official, regarding a request by Jayantilal Panchal with Kings Hospitality Inc. for Boston Pizza for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to permit the installation of a total of three business identification fascia signs and seven side wall fascia signs at 5 Carlson Court.

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 permit(s).

16. Request for Approval of Variance from Ch. 215, Signs, of the former City of Etobicoke Municipal Code for Illuminated and Non-Illuminated General Advertising Signs on The Queensway Elevation for a Service Station at 680 The Queensway (Ward 5 – Etobicoke-Lakeshore)

Report 1, Clause 12

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 28, 2005) from the Director of Building and Deputy Chief Building Official.

Report (December 28, 2005) from the Director of Building and Deputy Chief Building Official, regarding a request by Mr. Wajid Mansuri, of J and B Engineering Inc., for Shell Canada Ltd., for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit one illuminated and one non-illuminated general advertising fascia signs on the east elevation and three non-illuminated general advertising signs on the south elevation at 680 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.

17. Request for Approval of Variance from Chapter 215, Signs, for the former City of Etobicoke Municipal Code for an Illuminated First Party Rear Wall Fascia Sign at 1800 The Queensway (Ward 5 – Etobicoke-Lakeshore)

Report 1, Clause 13

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 20, 2005) from the Director of Building and Deputy Chief Building Official.

Report (December 20, 2005) from the Director of Building and Deputy Chief Building Official, regarding a request by Mr. Sam Ramawala, of Epcot Graphics Inc., on behalf of TigerDirect.ca, for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to permit an illuminated first party rear wall fascia sign at 1800 The Queensway.

Recommendations:

It is recommended that:

- (1) the request for variance 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 permit.

18. Request for Approval of Variance from By-law 30788, of the former City of North York, for a Two Sided First Party Illuminated Ground Sign at 1881 Wilson Avenue (Ward 7 – York West)

Report 1, Clause 14

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (November 4, 2005) from the Director of Building and Deputy Chief Building Official.

Report (November 4, 2005) from the Director of Building and Deputy Chief Building Official, regarding a request by Arun Mathur of Rainbow Realty Limited for Mac Champsee of Town Centre Investments Ltd., for approval of variances from By-law 30788 of the former City of North York to permit a two sided first party illuminated ground sign at 1881 Wilson Avenue.

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; and
- (3) the applicant obtain approval from the Ministry of Transportation since the proposed sign is within 400m of a highway right-of-way.

19. Naming of Proposed Private Lanes at 77 Janda Court (Ward 2 – Etobicoke North)

Report 1, Clause 15

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 5, 2005) from the City Surveyor, Technical Services.

Report (December 5, 2005) from the City Surveyor, Technical Services, recommending that the proposed private lanes at 77 Janda Court, be named “Frost King Lane” and “Pedigree Mews”.

Recommendations:

It is recommended that:

- (1) the proposed private lanes at 77 Janda Court, be named "Frost King Lane" and “Pedigree Mews”;
- (2) Gemini Urban Design (Janda) Corporation pay the costs estimated to be in the amount of \$420.00, for the fabrication and installation of the street name signs; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**20. Naming of Proposed Private Street at 975 The Queensway
(Ward 5 – Etobicoke-Lakeshore)**

Report 1, Clause 16

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 6, 2005) from the City Surveyor, Technical Services.

Report (December 6, 2005) from the City Surveyor, Technical Services, recommending that the proposed public street at 975 The Queensway, be named “Market Garden Mews”.

Recommendations:

It is recommended that:

- (1) the proposed public street located at 975 The Queensway, extending between Islington Avenue and Queen Elizabeth Boulevard, be dedicated by by-law for public highway purposes;
- (2) subject to City Council granting an exception to its Street Naming Policy, which states that similar sounding street names should be avoided, the proposed public street located at 975 The Queensway be named “Market Garden Mews”; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**21. Sale of Surplus Land – North Side of Jasper Avenue Adjacent to 64 Jasper Avenue
(Ward 11 – York South-Weston)**

Report 1, Clause 17

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 13, 2005) from the Chief Corporate Officer.

Report (December 13, 2005) from the Chief Corporate Officer, regarding the disposal of a parcel of vacant land located on the north side of Jasper Avenue adjacent to 64 Jasper Avenue.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from Bernard Titchard to purchase the parcel of vacant land located on the north side of Jasper Avenue, adjacent to 64 Jasper Avenue, being the east part of Lot 12, on Plan 1846 and shown as Part 1 on Sketch PS-2004-067 (the "Property"), in the amount of \$17,000.00 be accepted, substantially on the terms outlined in Appendix "A" to 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 of closing to pay the City's expenses related to the Property and the completion of the sale transaction;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date and other 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.

**22. Removal of One Privately Owned Tree – 41 Rosemount Avenue
(Ward 17 – Davenport)**

Report 1, Clause 18

The Etobicoke York Community Council submits this matter to Council without recommendation.

Report (November 2, 2005) from the General Manager, Parks, Forestry and Recreation, regarding an application for a permit to remove one Norway Maple tree having a diameter of 81 centimetres, on a private property that has been filed by the owner of 41 Rosemount Avenue.

Recommendations:

It is recommended that:

- (1) the request for permit to remove the 81 cm diameter Norway maple tree at 41 Rosemount Avenue be approved; and

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

22(a) Communication (January 17, 2006) submitted by Councillor Palacio, from a resident, advising of support for the report (November 2, 2005) from the General Manager, Parks, Forestry and Recreation, conditional upon:

- (1) any development on the site being subject to the site plan approval process; and
- (2) any excavation on the site being done manually to ensure that the tree roots are protected.

**23. Designation of Fire Routes in the City of Toronto
Etobicoke York Community Council Area**

Report 1, Clause 19

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 14, 2005) from the Acting District Chief, Fire Prevention, West Command.

Report (December 14, 2005) from the Acting District Chief, Fire Prevention, West Command, to obtain Council approval for the enactment of the appropriate amending by-law to designate certain locations as fire routes with the meaning of the City of Toronto Municipal Code Chapter, 880, as amended.

Recommendations:

It is recommended that:

- (1) that part or those parts of the private road or roads shown on the site plan filed with the Fire Chief in respect of the municipal addresses set out below be designated as fire routes pursuant to Municipal Code Chapter 880-Fire Routes:
 - (a) 4906-4912 Dundas Street West
 - (b) 5229 Dundas Street West
 - (c) 51 Kelfield Street
 - (d) 630 Kipling Avenue
 - (e) 680 Kipling Avenue
 - (f) 45 La Rose Avenue
 - (g) 2083, 2087, & 2095 Lake Shore Boulevard West
 - (h) 2264 Lake Shore Boulevard West
 - (i) 3199 Lake Shore Boulevard West
 - (j) 240 Markland Drive

- (k) 165, 167, & 181 North Queen Street
 - (l) 171, 173, & 177 North Queen Street
 - (m) 125 The Queensway
 - (n) 952-964 The Queensway
 - (o) 1306 The Queensway
 - (p) 1604 The Queensway
 - (q) 1635 The Queensway
 - (r) 385 Rexdale Boulevard
 - (s) 555 Rexdale Boulevard (North-Grandstand)
 - (t) 555 Rexdale Boulevard (South-Backstretch)
 - (u) 540, 544, 546, & 548 Scarlett Road
 - (v) 21 Signal Hill Avenue
 - (w) 2525 St. Clair Avenue West
 - (x) 495 The West Mall; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

24. Supplementary Report – Commercial Outdoor Roof Top Patios in the former City of Etobicoke (Ward 5 – Etobicoke-Lakeshore)

Report 1, Clause 24(e)

Action taken by the Committee:

The Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (December 14, 2005) from the Director, Community Planning, Etobicoke York District.

Report (December 14, 2005) from the Director, Community Planning, Etobicoke York District, reporting on a Council direction that the Commissioner, Urban Development Services, undertake a study on restricting rooftop patios throughout all of the former City of Etobicoke, in a manner consistent with the by-law that restricted commercial outdoor roof top patios on a portion of Bloor Street West.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting;
- (2) notice for the community consultation meeting be advertised in the local newspapers; and

- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

24(a) Communication (January 16, 2006) from Rebecca C. Hilton.

25. Preliminary Report – Official Plan Amendment, Rezoning Application and Site Plan Control Application; Applicant: Walker, Nott Dragicevic Associates Ltd. Architect: Turner Fleischer Architects Inc. – 2129 St. Clair Avenue West (Ward 11 – York South-Weston)

Report 1, Clause 24(f)

Action taken by the Committee:

The Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (December 22, 2005) from the Director, Community Planning, Etobicoke York District.

Report (December 22, 2005) from the Director, Community Planning, Etobicoke York District, providing preliminary information on the above-noted applications and to seek Community Council's direction on further processing of the applications 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.

26. Encroachment Agreement, 78 Bicknell Avenue (Ward 12 – York South - Weston)

Report 1, Clause 20

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 8, 2005) from the Manager, Municipal Licensing and Standards, Etobicoke York District.

Report (December 8, 2005) from the Manager, Municipal Licensing and Standards, on the encroachment application submitted by Mr. Greg Bettencourt, of Bettencourt Designs Ltd. on behalf of the property owners for the construction of a fence consisting of a solid brick wall with a metal railing on top having an overall height of 0.96 metres (3 feet 2 inches). The proposed fence and the existing hedges will enclose part of the City road allowance.

Recommendations:

It is recommended that:

- (1) the application be approved subject to a formal agreement document being completed in conjunction with Legal Services and forwarded to the Applicant/Owners for signature;
- (2) the signed agreement is to be returned to the City along with the required Certificate of Insurance evidencing a third party bodily injury and property damage insurance in the amount of \$2,000,000.00 or such other coverage and greater amount as City may require, and naming the City of Toronto as an additional insured party under the policy;
- (3) the Encroachment Agreement and Certificate of Insurance is to be renewed on an annual basis and an annual occupancy fee of \$829.76 plus GST, payable at the time of renewal. Fees are subject to change;
- (4) the subject fence is to be maintained in a state of good repair at all times;
- (5) should the hydro pole and the tied down cable as well as the stop sign post adjacent to the fence on City road allowance be required to be moved, any work involved including reinstatement of the sidewalk shall be done at the owner's expense; and
- (6) the hedges at Rotherham Avenue flankage shall be constantly maintained in order not to exceed 800 mm in height, equivalent to the requirements of Chapter 447 of the Toronto Municipal Code, Fences, which applies to private properties only.

**27. Removal of Pedestrian Crossover on Islington Avenue at Golfdown Road;
and Installation of Pedestrian Activated Traffic Lights
(Ward 2 – Etobicoke North)**

Report 1, Clause 21

The Etobicoke York Community Council recommends that City Council adopt the following motion (January 17, 2006) by Councillor Ford:

“WHEREAS there has been a recent traffic fatality of an 11-year old girl while using the pedestrian crosswalk on Islington Avenue near Golfdown Drive; and

WHEREAS area residents have expressed concern with motorists speeding along this stretch of road and ignoring the flashing lights at this crosswalk creating hazardous conditions for pedestrians; and

WHEREAS this dangerous situation should be addressed without delay;

NOW THEREFORE BE IT RESOLVED that the existing pedestrian crossover on Islington Avenue at Golfdown Road be removed and replaced with a pedestrian activated traffic control signal as soon as possible.”

Action taken by the Committee:

The Etobicoke York Community Council requested the General Manager, Transportation Services, to submit a report directly to the January 31, 2006 meeting of City Council on the removal of the pedestrian crosswalk on Islington Avenue at Golfdown Road and the replacement with a pedestrian activated traffic control signal.

28. Liquor Licence Application – Units 1 and 2, 9 Milvan Drive (Ward 7 – York West)

Report 1, Clause 22

The Etobicoke York Community Council recommends that City Council adopt the following motion (January 17, 2006) by Councillor Mammoliti:

“WHEREAS on April 22, 2005, gunfire erupted in Prestige Palace, wounding six people and killing Livvette Miller; and

WHEREAS on December 2, 2005, my office received communication from the City Clerk’s office informing us that the establishment known as Dreams Restaurant and Lounge had requested clearance from the City of Toronto to obtain a liquor licence; and

WHEREAS a letter was written to the Ontario Alcohol and Gaming Commission from my office, urging the Commission to deny any requests for a liquor licence at 9 Milvan Drive, Units 1 and 2; and

WHEREAS the rival gangs are alive and well in the areas surrounding 9 Milvan Drive; and

WHEREAS it is my impression that Dreams Restaurant and Lounge will be utilized for the same purposes as the previous establishment, Prestige Palace; and

WHEREAS it is no secret that 9 Milvan Drive has been plagued with problems for numerous years; and

WHEREAS Municipal Licensing and standards has laid numerous charges against 9 Milvan Drive, Units 1 and 2 which include and are not limited to operating a public hall without a business license and other Chapter 545 infractions; and

WHEREAS the owners of Prestige Palace are associated with the new owners of Dreams Restaurant and Lounge;

WHEREAS the issuance of a liquor licence for these premises is not in the public interest having regard to the needs and wishes of the municipality;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the City Solicitor to advise the Ontario Alcohol and Gaming Commission that Council opposes the Liquor License application for 9 Milvan Drive, Units 1 and 2;

AND BE IT FURTHER RESOLVED THAT the City Solicitor and necessary staff be authorized to participate in any proceedings before the Ontario Alcohol and Gaming Commission with respect to the application for the premises;

AND BE IT FURTHER RESOLVED THAT a copy of this motion be forwarded to Diana Lafreniere of the Licensing and Registration Branch, Alcohol and Gaming Commission.”

29. Hospital Closures (Ward 7 – York West), (Ward 11 – York South-Weston) and (Ward 12 – York South Weston)

Report 1, Clause 23

The Etobicoke York Community Council recommends that City Council adopt the following motion (January 17, 2006) by Councillor Mammoliti:

“WHEREAS the Province of Ontario announced in December 2005 the construction of a ‘Super Hospital’ at the Ontario Transportation Site located at Keele Street and Highway 401; and

WHEREAS our offices have received numerous petitions from community members who request input regarding the possibility of the hardships that could occur with the closings of two community hospitals, Humber River Regional Hospital - Church Street Site and Finch Avenue Site; and

WHEREAS the two communities that would be affected by the closures of these hospitals request to be informed by the Province of Ontario regarding the economic impacts that would be caused by the closures; and

WHEREAS the communities surrounding the hospitals do not want to see the Province declare these sites surplus and wish to have these sites remain functioning, offering health-related services;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto urges the Provincial Government to schedule local community meetings for public input.”

Action taken by the Committee:

The Etobicoke York Community Council requested the Deputy City Manager Sue Corke and Deputy City Manager Fareed Amin to report to the Planning and Transportation Committee on a perspective and pertinent information with respect to zoning, and on any economic impacts that may result from these changes.