



**ETOBICOKE YORK COMMUNITY COUNCIL
DECISION DOCUMENT
MEETING 5**

Report 5 to be considered by City Council on June 27, 2006

Date of Meeting: Tuesday, June 13, 2006
Time: 9:30 a.m.
Location: Council Chambers
Etobicoke Civic Centre
399 The West Mall
Toronto, Ontario

Enquiry: Glenda Jagai
Committee Administrator
416-394-8101
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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 May 9, 2006.

Communications/Reports:

- 1. Draft By-law to Close a part of the Public Highway known as Alcide Street, south of Codlin Crescent (Ward 1 – Etobicoke North)**

Report 5, Clause 1

The Etobicoke York Community Council recommends that a by-law in the form of the Draft By-law be enacted, and that the necessary Bill be introduced in Council to give effect thereto.

The Etobicoke York Community Council held a public meeting in accordance with the *Municipal Act, 2001*, and notice of the proposed enactment of the draft by-law was posted on the Public Notices page of the City's website in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162. No one addressed the Etobicoke York Community Council on June 13, 2006.

Draft by-law from the City Solicitor to permanently close part of the public highway known as Alcide Street, south of Codlin Crescent, shown as Parts 1 and 2 on Plan 66R-22408.

(Ref. Consolidated Clause 7 of the Administration Committee Report 4, which was adopted, without amendment, by City Council on June 22, 23 and 24, 2004).

**2. Injury of One Privately-Owned Tree – 23 Robinhood Road
(Ward 4 – Etobicoke Centre)**

Report 5, Clause 2

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (March 14, 2006) from the General Manager, Parks, Forestry and Recreation.

Report (March 14, 2006) from the General Manager, Parks, Forestry and Recreation regarding an application for a permit to injure one privately-owned tree located at 23 Robinhood Road, near the property line shared with 25 Robinhood Road.

Recommendations:

It is recommended that:

- (1) the request for permit to injure one (1) privately-owned 95 centimetre diameter white oak tree at 23 Robinhood Road be denied; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

- 2(a).** Communication (January 20, 2006) from Ron and Linda Meredith-Jones;
- 2(b).** Communication (January 19, 2006) from Janine de Rosnay and Frank Perricone;
- 2(c).** Communication (January 19, 2006) from Mary and John Gardiner; and
- 2(d).** Communication (January 17, 2006) from Carol Lynn Carter.

**3. Request for Approval of Variances from Chapter 215, Signs, of the former
City of Etobicoke Municipal Code – 2280 Islington Avenue
(Ward 2 – Etobicoke North)**

Report 5, Clause 3

The Etobicoke York Community Council recommends that City Council approve the installation of a single face 10 foot by 20 foot Third Party Illuminated Roof Sign oriented towards a south-easterly direction, with the illumination of the sign to be located at the top of the sign face pointed downwards and directed towards the sign face.

Report (April 24, 2006) from the Director of Building and Deputy Chief Building Official to review and make recommendation on a request by Sid Catalano, with Pattison Outdoor, for 1009222 Ontario Inc., for approval of variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit a Third Party Illuminated Roof Sign having 2 sign faces at 2280 Islington Avenue.

Recommendation:

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

Communications:

- 3(a). (May 8, 2006) from Corinne Alstrom;
- 3(b). (May 8, 2006) from Albert Kwan;
- 3(c). (May 8, 2006) from Steve Mercer;
- 3(d). (May 8, 2006) from Alison Gorbould, Toronto Public Space Committee;
- 3(e). (May 8, 2006) from Erin Wood;
- 3(f). (May 8, 2006) from David Nichol;
- 3(g). (May 8, 2006) from Andrew Brett;
- 3(h). (May 8, 2006) from Emily Tu;
- 3(i). (May 8, 2006) from Katherine Mansfield;
- 3(j). (May 8, 2006) from Cynthia Gould;
- 3(k). (May 8, 2006) from Josh Paterson;
- 3(l). (May 8, 2006) from Arthur Gron;
- 3(m). (May 8, 2006) from Daya Lye;
- 3(n). (May 8, 2006) from Sara Lipson;
- 3(o). (May 8, 2006) from Stephen Philipson; and
- 3(p). (May 8, 2006) from Liam O'Doherty.

**4. Application for Outdoor Café Encroachment at 352 Royal York Road
(Ward 6 – Etobicoke-Lakeshore)**

Report 5, Clause 4

The Etobicoke York Community Council recommends that City Council:

- (1) adopt the staff recommendations (1) to (4) and (6) to (13) in the Recommendations Section of the report (April 21, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District;**
- (2) delete staff recommendation (5) and replace it with the following:**
 - “(5)(a) no music shall be played on the exterior of the premises; and**
 - (5)(b) the patio shall be closed no later than 10:00 p.m. and the last drinks served no later than 9:00 p.m.”;**

(3) approve the following new conditions:

- “(14) that the owner be required to submit an application to the BIA Commercial Façade Improvement Program to improve the façade and landscaping of the premises;**
- (15) that the owner be required to engage the services of a professional Urban Designer or Architect to undertake the improvements to the façade and landscaping; and**
- (16) that should there be a change in ownership of the business or property, any encroachment pertaining to this application shall become null and void.”**

Action taken by the Committee:

The Etobicoke York Community Council requested the District Manager, Municipal Licensing and Standards, to report back to the Etobicoke York Community Council, on any complaints received regarding this outdoor patio, within four months of the patio being opened.

Report (April 21, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District regarding an application to lease 35.21 square metres of the municipal boulevard for purpose of an Outdoor Café at “Colin’s Dug Out” restaurant at 352 Royal York Road.

Recommendation:

It is recommended that this application to lease 35.21 square metres (3.50 metres by 10.06 metres) of the municipal boulevard as an outdoor café patio, located at the south side of the premises on the Newcastle Street road allowance (Attachment 1), 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;

- (5) no music shall be played after 10:00 p.m. and the patio shall be closed no later than 11:00 p.m.;
- (6) constantly trim and maintain the hedges at Newcastle Street flankage to limit its height to no more than 800 mm (Attachment 3);
- (7) provide and maintain hard floor surface for the open patio with 150 mm thick concrete over a 150 mm thick well compacted gravel base;
- (8) protect existing window wells with suitable metal screens capable of withstanding loading caused by foot traffic (Attachment 4);
- (9) alter existing downpipe beside the existing window wells to redirect rainwater drainage to an acceptable disposal location in order not to cause nuisance or hazards to patrons and pedestrians (Attachment 4);
- (10) install and maintain a minimum 1.07 metre high metal open fence and gate along the periphery of the patio;
- (11) provide and maintain screens of suitable materials to form a barrier around the existing metal chimney and gas metres (Attachment 4);
- (12) comply with all relevant municipal by-law requirements including repairing the deteriorating exterior brick wall and removal of the A framed sign (or obtain a temporary sign permit) (Attachments 2 and 4); and
- (13) obtain a construction/streets occupation permit prior to the commencement of any construction.

5. Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code – 265 Wincott Drive (Ward 4 – Etobicoke Centre)

Report 5, Clause 5

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 25, 2006) from the Director of Building and Deputy Chief Building Official.

Report (May 25, 2006) from the Director of Building and Deputy Chief Building Official to review and make recommendation on a request by Matthew Laing, with Sherman Brown Dryer Karol, Barristers & Solicitors for Gary Fine, Company Officer of 840085 Ontario Limited, for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit an Illuminated First Party Directory Ground sign and 2 Illuminated First Party Fascia Wall signs on the south elevation at 265 Wincott Drive.

Recommendations:

It is recommended that:

- (1) the request for variances be refused for the double-sided, first party illuminated business directory ground sign and that the variances be approved for the two first party illuminated fascia wall signs on the south elevation for the reasons outlined in this report; and
- (2) the applicant is to be advised, upon approval of variances, of the requirement to obtain the necessary sign permit.

**6. Status Report – Rezoning Application; Plan of Subdivision
Applicant: Franco Romano, Action Planning Consultants
144-156 Rowntree Mill Road (Ward 7 – York West)**

Report 5, Clause 6

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the Status Report (May 31, 2006) from the Director, Community Planning, Etobicoke York District.

Action taken by the Committee:

The Etobicoke York Community Council requested that:

- (1) the application be postponed for one month to allow staff to review the new application for single family dwellings;**
- (2) the Director, Community Planning, Etobicoke York District, be requested to submit a further report to the September 13, 2006 meeting of the Etobicoke York Community Council, including the number of residential homes permitted on the site, as of right;**
- (3) should the Planning report contain positive recommendations, that a statutory public meeting be held at the York Civic Centre, 2700 Eglinton Avenue West (at Keele Street) at 7:00 p.m.;**
- (4) the notification area for the statutory public meeting be determined in consultation with the Ward Councillor, to ensure that the full extent of the community is notified; and**
- (5) a representative from the Toronto and Region Conservation Authority be invited to all meetings.**

Status Report (May 31, 2006) from the Director, Community Planning, Etobicoke York District providing a status update on the rezoning application and draft plan of subdivision application for a residential development at 144-156 Rowntree Mill Road.

Recommendation:

It is recommended that Community Council's further consideration of the revised application be deferred until:

- (1) the applicant has submitted all required information identified by City staff and appropriate agencies, including the Toronto and Region Conservation Authority, in regard to the revised proposal, within six months;
 - (2) the applicant has submitted an Official Plan Amendment application to amend the new Official Plan for the City of Toronto;
 - (3) City staff has completed its review of the revised proposal and supporting documentation and has reported back to Community Council; and
 - (4) the applicant has withdrawn the plan of subdivision application and has confirmed in writing on the form of plan of condominium that will be sought to provide for the orderly development of the land.
- 6(a).** Communication (May 19, 2006) from Franco Romano, Action Planning Consultants, advising that an amended plan showing only detached houses and supporting environmental material had been distributed to Planning staff, the Ward Councillor and the Toronto and Region Conservation Authority;
- 6(b).** Refusal Report (April 25, 2006) from the Director, Community Planning, Etobicoke York District, recommending refusal of a rezoning application and a draft plan of subdivision application to facilitate the construction of a new public road and three single detached dwellings and 22 semi-detached dwelling units.

Recommendations:

It is recommended that City Council:

- (1) refuse the Rezoning application 04 203855 WET 07 OZ and Draft Plan of Subdivision application 04 203864 WET 07 SB for 144-156 Rowntree Mill Road;
 - (2) request the Director of Community Planning, Etobicoke York District to report back on rezoning the City owned parcel within Rowntree Mills Park from "R3" to "G"; and
 - (3) direct the City Solicitor and appropriate City staff to attend, if necessary, the Ontario Municipal Board, to support City Council's decision to refuse the rezoning and subdivision applications, as currently proposed;
- 6(c).** Communication (April 26, 2006) from Franco Romano, Principal, Action Planning Consultants, requesting a deferral of this matter;
- 6(d).** Communication (June 13 and May 9, 2006) from Nino and Maria Torelli urging that the application be refused;

- 6(e). Communication (June 12, 2006) from Mario Sergio, MPP, York West, and local resident, on behalf of the residents advising of their objections and opposition to the proposal; and
- 6(f). Communication (June 13, 2006) from Nino and Maria Torelli.

7. Final Report – Rezoning Application; Applicant: Vince Cornacchia, Cornacchia Planning Services Inc. ; Architect KNY Architects Inc. 2 Fieldway Road (Ward 5 – Etobicoke-Lakeshore)

Report 5, Clause 7

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 30, 2006) from the Director, Community Planning, Etobicoke York District.

The Etobicoke York Community Council held a statutory public meeting on June 13, 2006, and notice was given in accordance with the *Planning Act*.

Report (May 30, 2006) from the Director, Community Planning, Etobicoke York District, recommending approval of an application to amend the Zoning By-law to permit the conversion of a 12-storey office building into a 12-storey residential building, as well as to construct 14 new townhouse units at 2 Fieldway Road.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning Code and By-law No. 1088-2002 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4;
 - (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 applicant to:
 - (a) enter into a Section 37 Agreement securing the matters as outlined in this report; and
 - (b) finalize the terms of an access easement, to be registered on title, between the Owner, the Toronto Transit Commission and Hydro One, as outlined in this report.
- 7(a). Communication (May 25, 2006) from Nicholas Manning and Katherine Butt.

**8. Removal of Three (3) Privately-Owned Trees; 81 Irwin Road
(Ward 2 – Etobicoke North)**

Report 5, Clause 8

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 25, 2006) from the General Manager, Parks, Forestry and Recreation.

Report (May 25, 2006) from the General Manager, Parks, Forestry and Recreation regarding an application for a permit to remove three privately-owned trees located at 81 Irwin Road and fronting Islington Avenue.

Recommendations:

It is recommended that:

- (1) the request for permit to remove three (3) privately-owned trees at 81 Irwin Road be denied; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**9. Removal of One (1) Privately-Owned Tree - 36 Mattice Road
(Ward 5 – Etobicoke-Lakeshore)**

Report 5, Clause 9

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 25, 2006) from the General Manager, Parks, Forestry and Recreation.

Report (May 25, 2006) from the General Manager, Parks, Forestry and Recreation regarding an application for a permit to remove one privately-owned tree located at the rear of 36 Mattice Road.

Recommendations:

It is recommended that:

- (1) the request for permit to remove one (1) privately-owned tree at 36 Mattice Road be denied; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**10. Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences
2553 Lakeshore Boulevard West (Ward 6 – Etobicoke-Lakeshore)**

Report 5, Clause 35(a)

Action taken by the Committee:

The Etobicoke York Community Council postponed this report to its next meeting on July 11, 2006.

Report (May 16, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District, regarding an application submitted by Tom Giancos, representing Dunpar Developments Inc., requesting an exemption to the Toronto Municipal Code, Chapter 447, Fences, to maintain a close board wooden fence to the height of 2.44 metres (8 feet) on the north, east and a portion of south boundary of the property at 2553 Lakeshore Boulevard West.

Recommendation:

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

**11. Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences
12 Glamis Avenue (Ward 11 – York South-Weston)**

Report 5, Clause 10

The Etobicoke York Community Council recommends that City Council approve the application for an exemption to Ch. 447 of the City of Toronto Municipal Code, Fences, to permit an existing 1.83 metres high fence along the south boundary at the front yard, and a 2.36 metres privacy screen on top of a deck at the rear yard to remain on the property, subject to:

- (1) the owner removing the lattice at the top of the lower front portion of the fence; and**
- (2) the application for an encroachment agreement to maintain the section of the fence within the municipal road allowance, being approved.**

Report (May 16, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District, regarding an application by the owner of 12 Glamis Avenue, requesting an exemption to the Toronto Municipal Code, Chapter 447, Fences, to permit an existing 1.83 metres high fence along the south boundary at the front yard, and a 2.36 metres privacy screen on top of a deck at the rear yard to remain on the property.

Recommendation:

It is recommended that the application be refused based on non-compliance with the requirements of this Chapter, despite his removal of the sight line obstruction by lowering the fence at the front yard.

12. Front Yard Parking – Request for an Exemption to the former City of Toronto Municipal Code – 133 Mavety Street (Ward 13 – Parkdale-High Park)

Report 5, Clause 35(b)

Action taken by the Committee:

The Etobicoke York Community Council postponed this report to its next meeting on July 11, 2006.

Report (May 10, 2006) from the Director, Transportation Services, Etobicoke York District regarding an application for front yard parking at 133 Mavety Street.

Recommendation:

It is recommended that Etobicoke York Community Council refuse this application.

13. Front Yard Parking – Request for an Exemption to the former City of Toronto Municipal Code – 134 Medland Street (Ward 13 – Parkdale-High Park)

Report 5, Clause 11

The Etobicoke York Community Council recommends that City Council approve the application for an exemption to Ch. 400 of the former City of Toronto Municipal Code to permit front yard parking at 134 Medland Street, subject to the following conditions:

- (1) the front yard parking pad must provide a minimum width of 2.6 metres and a minimum length of 5.5 metres;**
- (2) the applicant pays all applicable fees and complies with all other criteria described in the former City of Toronto Municipal Code;**
- (3) the applicant paves the front yard parking pad with semi-permeable materials, such as ecostone pavers, interlocking pavers, or an equivalent treatment that is acceptable to the General Manager, Transportation Services;**
- (4) the existing on-street parking permit issued to this address is cancelled following construction of the front yard parking pad;**

- (5) **the applicant plants a tree in their front yard, or funds the planting of a tree in the neighbourhood, to the satisfaction of the Parks, Forestry and Recreation Services Division; and**
- (6) **the applicant satisfies these conditions at no expense to the municipality.**

Report (May 10, 2006) from the Director, Transportation Services, Etobicoke York District regarding an application for front yard parking at 34 Medland Street.

Recommendation:

It is recommended that Etobicoke York Community Council refuse this application.

14. Front Yard Parking – Request for an Exemption to the former City of Toronto Municipal Code – 329 Durie Street (Ward 13 – Parkdale-High Park)

Report 5, Clause 12

The Etobicoke York Community Council recommends that City Council approve the application for an exemption to Ch. 400 of the former City of Toronto Municipal Code to permit front yard parking at 329 Durie Street, subject to the following conditions:

- (1) **the front yard parking pad must provide a minimum width of 2.6 metres and a minimum length of 5.5 metres;**
- (2) **the applicant pays all applicable fees and complies with all other criteria described in the former City of Toronto Municipal Code;**
- (3) **the applicant paves the front yard parking pad with semi-permeable materials, such as ecostone pavers, interlocking pavers, or an equivalent treatment that is acceptable to the General Manager, Transportation Services;**
- (4) **the applicant plants a tree in their front yard, or funds the planting of a tree in the neighbourhood, to the satisfaction of the Parks, Forestry and Recreation Services Division;**
- (5) **the existing on-street parking permit issued to this address is cancelled following construction of the front yard parking pad;**
- (6) **the applicant satisfies these conditions at no expense to the municipality; and**
- (7) **the applicant conform to the conditions of the Parks, Forestry and Recreation Division, regarding distance separation for a proposed parking pad to an existing tree.**

Report (May 10, 2006) from the Director, Transportation Services, Etobicoke York District regarding an application for front yard parking at 329 Durie Street.

Recommendation:

It is recommended that Etobicoke York Community Council refuse this application.

15. Disabled Front Yard Parking – Request for an Exemption to the former City of Toronto Municipal Code – 67 Somerset Avenue (Ward 17 - Davenport)

Report 5, Clause 13

The Etobicoke York Community Council recommends that City Council approve the application for an exemption to Ch. 400 of the former City of Toronto Municipal Code, to permit disabled front yard parking at 67 Somerset Avenue, subject to the following conditions:

- (1) the parking pad must provide a minimum width of 2.6 metres and a minimum length of 5.5 metres;**
- (2) the applicant pays all applicable fees and complies with all other criteria described in the former City of Toronto Municipal Code;**
- (3) the applicant paves the front yard parking pad with semi-permeable materials, such as ecostone pavers, interlocking pavers, or an equivalent treatment that is acceptable to the General Manager, Transportation Services;**
- (4) the applicant plants a tree in their front yard, or funds the planting of a tree in the neighbourhood, to the satisfaction of the Parks, Forestry and Recreation Services Division; and**
- (5) the applicant satisfies these conditions at no expense to the municipality.**

Report (May 12, 2006) from the Director, Transportation Services, Etobicoke York District regarding an application for disabled front yard parking at 67 Somerset Avenue.

Recommendation:

It is recommended that Etobicoke York Community Council refuse this application.

16. Sale of a Portion of Alcide Street Road Allowance abutting 2095 Codlin Crescent (Ward 1 - Etobicoke North)

Report 5, Clause 14

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 17, 2006) from the Chief Corporate Officer.

Report (May 17, 2006) from the Chief Corporate Officer to authorize the sale of a portion of Alcide Street abutting 2095 Codlin Crescent.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from Fredrick Henderson and Audrey Muriel Henderson (the "Purchaser") to purchase part of Alcide Street, Plan 28, North of Pauline Street, Toronto (formerly Etobicoke) designated as Part 1 on Reference Plan 66R-22408 (the "Property"), in the amount of \$51,350.00, be accepted substantially on the terms and conditions outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally 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 making payment of any necessary expenses and amending the closing and other 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.

**17. Sale of Surplus Property Adjacent to 2107 and 2117 Codlin Crescent
(Ward 1 – Etobicoke North)**

Report 5, Clause 15

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 26, 2006) from the Chief Corporate Officer.

Report (May 26, 2006) from the Chief Corporate Officer to authorize the sale of the surplus property adjacent to 2107 and 2117 Codlin Crescent.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from Maria Figliomeni to purchase the City-owned property adjacent to 2107 and 2117 Codlin Crescent, described as parts of Pauline Street, Plan 28, closed by Instrument No. TB166819, designated as Part 5 on Plan 64R-9278 and Part 7 on Plan 64R-9279, Toronto (formerly Etobicoke) and shown as Part 6 and Part 7 on the attached Sketch No. PS-2004-061 (the "Property"), in

the amount of \$90,730.00, be accepted substantially on the terms and conditions outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City;

- (2) authority be granted to direct a portion of the proceeds on 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 making payment of any necessary expenses and amending the closing and other 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.

**18. Sale of Surplus Property at the rear of 360 Evans Avenue
(Ward 6 – Etobicoke-Lakeshore)**

Report 5, Clause 16

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 17, 2006) from the Chief Corporate Officer.

Report (May 17, 2006) from the Chief Corporate Officer to authorize the sale of the City-owned property at the rear of 360 Evans Avenue.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from R. J. McCarthy Holdings Inc. (the "Purchaser") to purchase the City-owned property at the rear of 360 Evans Avenue, being Part of Lot 58 Plan 339 or 389 designated as Part 2 on Reference Plan 66R-19324 PIN 07602-0103 (LT) subject to the reservation of an easement for sewer and watermain services (the "Property"), in the amount of \$27,000.00, be accepted substantially on the terms and conditions outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally 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 making payment of any necessary expenses and amending the closing

and other 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.

19. Payment-in-Lieu of Parking – 750 Oakdale Road (Ward 7 – York West)

Report 5, Clause 35(c)

Action taken by the Committee:

The Etobicoke York Community Council postponed this report to its next meeting on July 11, 2006.

Report (March 10, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) Council exempt the applicant at 750 Oakdale Road from the North York Zoning By-law parking requirement of three parking stalls, subject to a \$7,500.00 payment-in-lieu of parking;
- (2) the applicant enter into a payment-in-lieu of parking agreement with the municipality, to the satisfaction of the City Solicitor; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

**20. Front Yard Parking Survey Results – 449 Annette Street
(Ward 13 – Parkdale-High Park)**

Report 5, Clause 17

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (March 10, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (March 10, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendation:

It is recommended that Etobicoke York Community Council approve the application for front yard parking at 449 Annette Street, subject to:

- (1) the front yard parking pad providing a minimum width of 2.6 metres and a minimum length of 5.5 metres;
- (2) the applicant paving the front yard parking area with semi-permeable materials, such as ecostone pavers, interlocking pavers, or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services Division;
- (3) the applicant paying all applicable fees and complying with all other criteria described in Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code;
- (4) cancelling the existing on-street parking permit issued to this property following construction of the front yard parking pad; and
- (5) the applicant satisfies these conditions at no expense to the municipality.

**21. Outdoor Café Encroachment – 2994 Bloor Street West
(Ward 5 – Etobicoke-Lakeshore)**

Report 5, Clause 18

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 24, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District.

Report (May 24, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District, regarding an application to lease 11.96 square metres of the municipal boulevard for the purpose of an outdoor patio for the “Merlot Restaurant” at 2994 Bloor Street West.

Recommendation:

It is recommended that the application to lease 11.96 square metres (2.44 metres x 4.90 metres) of municipal boulevard as an outdoor café patio, located on the north side, in front of the property municipally known as 2994 Bloor Street West (Attachments 1, 2 and 3), be approved, as this application was found to be in accordance with the former Municipality of Metropolitan Toronto By-law 41-93, as amended, subject to the applicant fulfilling the following conditions upon approval:

- (1) enter into an Encroachment agreement with the City of Toronto;
- (2) pay an annual fee to the City of Toronto for use of the road allowance in the amount of \$11.00 per square metre, plus GST. Fees are subject to change;

- (3) provide an annual certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount of Two Million Dollars (\$2,000,000.00), or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy;
- (4) applicant must conduct business in compliance with the requirements of all City of Toronto Works and Emergency By-laws;
- (5) the patio is for temporary seasonal use only during the period between May 1 to October 31; and
- (6) remove the fence and all furniture from the public right-a-way at the end of each season.

22. Outdoor Café Encroachment - 1755 Keele Street (Ward 12 – York South-Weston)

Report 5, Clause 19

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 15, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District.

Report (May 15, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District, regarding an application to lease 3.88 square metres of the municipal boulevard for the purpose of an outdoor patio for the “Mastro Nick Pizzeria and Restaurant” at 1755 Keele Street.

Recommendation:

It is recommended that this application to lease 3.88 square metres (2.01 metres x 1.93 metres) of the municipal boulevard as an outdoor patio, located on the west side, in front of the property municipally known as 1755 Keele Street (Attachments 1, 2, 3 and 4), be approved, as this application was found to be in accordance with the former Municipality of Metropolitan Toronto By-law 41-93, as amended, subject to the applicant fulfilling the following conditions upon approval:

- (1) enter into an Encroachment Agreement with the City of Toronto;
- (2) pay an annual fee to the City of Toronto for use of the road allowance in the amount of \$25.00 plus \$5.50 per square metre, plus GST. 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 annually 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;
- (5) no music shall be played on the exterior and the patio shall be closed no later than 11:00 p.m., in strict accordance with Chapter 591 of the Toronto Municipal Code, Noise;
- (6) the patio is for temporary seasonal use only during the period between May 1 to October 31 ;
- (7) remove the fence and all furniture from the public right-of-way at the end of each season; and
- (8) obtain a construction/streets occupation permit prior to the commencement of any construction.

23. Encroachment Application – 1492 St. Clair Avenue West (Ward 17 – Davenport)

Report 5, Clause 20

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 25, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District.

Report (May 25, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District, regarding an application by Greg Bettencourt, of Bettencourt Designs Limited on behalf of the property owner for encroachments on the city road allowance including retaining walls, stairs and landscaping at 1492 St. Clair Avenue West.

Recommendation:

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 Certificate of Insurance is to be renewed on an annual basis. The Encroachment may be subject to an annual fee in the future;
- (4) prior to any construction, the applicant shall obtain a permit, from Works and Emergency Services, for the construction work, within the road allowance;
- (5) the applicant shall, prior to construction, obtain any Building Permits for foundations, stairs, retaining walls, and guards of any effected work related to the Ontario Building Code;
- (6) the property owner agrees to maintain the subject construction and landscaping installations in a state of good repair at all times;
- (7) the applicant shall maintain at his expense, the proposed trees scheduled to be planted on the boulevard, in good condition, for a period of two years after the completion of the proposed work. At the expiry of the two year period it will become the responsibility of Parks, Forestry and Recreation; and
- (8) the applicant is responsible for all costs pertaining to the removal and/or relocation of hydro poles and posts with the road allowance.

**24. Proposed Parking Prohibitions on both sides of Norgrove Crescent
(Ward 4 – Etobicoke Centre)**

Report 5, Clause 21

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 9, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 9, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) parking be prohibited between 8:00 a.m. and 5:00 p.m., Monday to Friday on both sides of Norgrove Crescent from Summitcrest Drive (east intersection) to a point 151.0 metres north of Summitcrest Drive (east intersection); 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.

**25. Boulevard Parking Agreement – 354 – 362 Olivewood Road
Scaffold-Russ Dilworth Limited (Ward 5 – Etobicoke-Lakeshore)**

Report 5, Clause 22

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 15, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 15, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) Etobicoke York Community Council allow the applicant to maintain a maximum of 19 vehicle parking stalls within the boulevard area of Olivewood Road;
- (2) Etobicoke York Community Council allow the applicant to maintain a maximum of 13 vehicle parking stalls within the boulevard area of Shawbridge Avenue;
- (3) the applicant enters into a boulevard parking agreement with the City of Toronto, to the satisfaction of the City solicitor;
- (4) the boulevard parking stalls are for use by the applicant's employees and customers, and cannot be loaned, leased, rented or transferred;
- (5) the applicant, at their expense, registers the boulevard parking agreement on-title, to the satisfaction of the City Solicitor;
- (6) the applicant at their expense, shall individually sign each boulevard parking stall to the satisfaction of the Director, Transportation Services, Etobicoke York District, and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

**26. Boulevard Parking Agreement – 363 Olivewood Road
Donato and Nicola Cacciaccaro (Ward 5 – Etobicoke-Lakeshore)**

Report 5, Clause 23

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 15, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 15, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) Etobicoke York Community Council allow the applicant to maintain a maximum of six vehicle parking stalls within the boulevard area of Judge Road;
- (2) the applicant enters into a boulevard parking agreement with the City of Toronto, to the satisfaction of the City solicitor;
- (3) the boulevard parking stalls are for use by the applicant's employees and customers, and cannot be loaned, leased, rented or transferred;
- (4) the applicant, at their expense, registers the boulevard parking agreement on-title, to the satisfaction of the City Solicitor;
- (5) the applicant at their expense, shall individually sign each boulevard parking stall to the satisfaction of the Director, Transportation Services, Etobicoke York District, and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

**27. Boulevard Parking Agreement – Trutiak Holdings Limited
345 Munster Avenue (Ward 5 – Etobicoke-Lakeshore)**

Report 5, Clause 24

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 12, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 12, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) Etobicoke York Community Council allow the applicant to maintain a maximum of eight vehicle parking stalls within the boulevard area of Munster Avenue;
- (2) the applicant enters into a boulevard parking agreement with the City of Toronto, to the satisfaction of the City Solicitor;

- (3) the boulevard parking stalls are for use by the applicant's employees and customers, and cannot be loaned, leased, rented or transferred;
- (4) the applicant, at their expense, registers the boulevard parking agreement on-title, to the satisfaction of the City Solicitor;
- (5) the applicant at their expense, shall individually sign each boulevard parking stall to the satisfaction of the Director, Transportation Services, Etobicoke York District, and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

28. Reduction of Speed Limit from 50 km/h to 40 km/h on Roads in the Community north and east of the intersection of The Queensway and Royal York Road (Ward 5 – Etobicoke-Lakeshore)

Report 5, Clause 25

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 16, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 16, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) the by-law associated with the 40 km/h speed limit on Delroy Drive between Holbrooke Avenue and the east limit of the street be rescinded;
- (2) the speed limit on Rosemeade Avenue, Holbrooke Avenue, Moynes Avenue, Berl Avenue, McIntosh Avenue, Burma Drive, Woodford Park Road, Daniels Street, Tenby Street and Delroy Drive, be reduced from 50 km/h to 40 km/h.; 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.

29. Proposed Relocation of a Pedestrian Crossover – Park Lawn Road, south of Hill Heights Road (Ward 5 – Etobicoke-Lakeshore)

Report 5, Clause 26

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 24, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 24, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) the pedestrian crossover (PXO) located on Park Lawn Road at a point 23.0 metres south of Hill Heights Road be removed;
- (2) a pedestrian crossover be installed on Park Lawn Road at the south approach of the intersection of Park Lawn Road and Hill Heights Road; 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.

30. Proposed Left Turn Prohibitions – Weston Road at the Driveway to 3514 Weston Road (Ward 7 – York West)

Report 5, Clause 27

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 29, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 29, 2006) from the Director, Transportation Services, Etobicoke York District.

Recommendations:

It is recommended that:

- (1) eastbound left turns be prohibited at all times at the intersection of Weston Road and the driveway to 3514 Weston Road, 55.0 metres north of Finch Avenue West;
- (2) northbound left turns be prohibited at all times at the intersection of Weston Road and the driveway to 3514 Weston Road, 55.0 metres north of Finch Avenue West; 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.

**31. Front Yard Parking – Survey Results - 2035 Davenport Road
(Ward 17 – Davenport)**

Report 5, Clause 28

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 10, 2006) from the Director, Transportation Services, Etobicoke York District, on the results of a survey conducted in connection with an application for front yard parking at 2035 Davenport Road.

Recommendation:

It is recommended that Etobicoke York Community Council approve the application for front yard parking at 2035 Davenport Road, subject to:

- (1) the front yard parking pad provides a minimum width of 2.6 metres and a minimum length of 5.5 metres;
- (2) the applicant paves the front yard parking area with semi-permeable materials, such as ecostone pavers, interlocking pavers, or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services;
- (3) the applicant pays all applicable fees and complies with all other criteria described in Chapter 400, "Traffic and Parking", of the former City of Toronto Municipal Code;
- (4) the applicant plants a tree in their front yard, or funds the planting of a tree in the neighbourhood, to the satisfaction of the Parks, Forestry and Recreation; and
- (5) the applicant satisfies these conditions at no expense to the municipality.

32. Front Yard Parking – Survey Results - 41 Auburn Avenue (Ward 17 – Davenport)

Report 5, Clause 29

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2006) from the Director, Transportation Services, Etobicoke York District.

Report (May 10, 2006) from the Director, Transportation Services, Etobicoke York District, on the results of a survey conducted in connection with an application for front yard parking at 41 Auburn Avenue.

Recommendation:

It is recommended that Etobicoke York Community Council approve the application for front yard parking at 41 Auburn Avenue, subject to the following conditions:

- (1) the front yard parking pad provides a minimum width of 2.6 metres and a maximum length of 5.9 metres;
- (2) the applicant paves the front yard parking area with semi-permeable materials, such as ecostone pavers, interlocking pavers, or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services;
- (3) the applicant pays all applicable fees and complies with all other criteria described in Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code;
- (4) the applicant plants a tree in their front yard, or funds the planting of a tree in the neighbourhood, to the satisfaction of the Parks, Forestry and Recreation; and
- (5) the applicant satisfies these conditions at no expense to the municipality.

33. Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code – 248 Rexdale Boulevard (Ward 2 – Etobicoke North)

Report 5, Clause 30

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 25, 2006) from the Director of Building and Deputy Chief Building Official.

Report (May 25, 2006) from the Director of Building and Deputy Chief Building Official to review and make recommendation on a request by Dominic Rotundo with Westway Signs and Permits for Ron Stewart, Manager with Par Hyundai Motors, for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit 2 First Party Illuminated Fascia Signs back to back on a parapet/tower (Roof Sign) and one First Party Illuminated ground sign at 248 Rexdale Boulevard.

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.

**34. Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code – 250 The East Mall
(Ward 5 – Etobicoke-Lakeshore)**

Report 5, Clause 31

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (April 25, 2006) from the Director of Building and Deputy Chief Building Official.

Report (April 25, 2006) from the Director of Building and Deputy Chief Building Official to review and make recommendation on a request by George Gregorian, of Sunset Neon Ltd., for Bentall Properties, for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit 2 Illuminated Graphic Fascia Signs on the east and south elevation at 250 The East Mall.

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.

**35. Preliminary Report - Zoning Code Amendment Application;
Applicant: Ted Cymbaly, Weston Consulting Group Inc.
Architect: RN Design – 315 and 325 Dalesford Road
(Ward 5 – Etobicoke-Lakeshore)**

Report 5, Clause 35(d)

Action taken by the Committee:

The Etobicoke York Community Council approved the staff recommendations in the Recommendations Section of the report (May 29, 2006) from the Director, Community Planning, Etobicoke York 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 Ward Councillor” and**

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

Report (May 29, 2006) from the Director, Community Planning, Etobicoke York District, providing preliminary information on the above-noted application, and to seek Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

36. Request for Approval of Variances from Chapter 215, Signs, of the former City of Toronto Municipal Code – 3275 Dundas Street West (Ward 13 – Parkdale-High Park)

Report 5, Clause 32

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (May 31, 2006) from the Director, Community Planning, Etobicoke York District.

Report (May 31, 2006) from the Director, Community Planning, Etobicoke York District, to consider an application for a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for identification purposes, replacement of an existing illuminated ground sign with a newly designed illuminated ground sign at 3275 Dundas Street West.

Recommendations:

It is recommended that:

- (1) the requested variances to permit, for identification purposes, replacement of an existing ground sign located at the northeast corner of the property with a newly designed illuminated ground sign to represent Nissan Auto Dealership at 3275 Dundas Street West be approved; and
- (2) the applicant be advised, upon approval of a variance, of the requirement to obtain the necessary sign permits from the Chief Building Official.

**37. Removal of City-Owned Tree – 24 Cordella Avenue
(Ward 11 – York South-Weston)**

Report 5, Clause 35(e)

Action taken by the Committee:

The Etobicoke York Community Council requested the General Manager, Parks, Forestry and Recreation to report to the July 11, 2006 meeting on the removal of the City-owned tree at 24 Cordella Avenue.

Communication (May 24, 2006) from Councillor Frances Nunziata (Ward 11 – York South-Weston) regarding a request by a resident at 24 Cordella Avenue to remove a city-owned tree and requesting that this matter be referred to staff for a report to the July 11, 2006 meeting.

38. Compensation Review: Elected Officials

Report 5, Clause 35(f)

Action taken by the Committee

The Etobicoke York Community Council took no action on this matter and requested that the Mayor's Office be advised accordingly.

Communication (May 10, 2006) from the Employee and Labour Relations Committee, advising that the Employee and Labour Relations Committee at its meeting on May 10, 2006:

- (1) referred the report (April 24, 2006) from the City Manager respecting the "Compensation Review: Elected Officials" to the Mayor's Office for a report to the June meetings of the Policy and Finance Committee and City Council, if possible; and
- (2) forwarded this issue, including the following motions tabled by Councillor Soknacki and Deputy Mayor Bussin, to the Community Councils for consideration as a deputation item at their June 13, 2006, meetings for comment to the Mayor's Office to be forwarded to the Blue Ribbon Panel established by the Mayor:

Moved by Councillor Soknacki:

That the Employee and Labour Relations Committee recommend to the Policy and Finance Committee that City Council receive the recommendations in the report (April 24, 2006) from the City Manager and adopt instead the following:

“It is recommended that:

- (1) a study be done prior to the beginning of each term to determine the average cash compensation of City Councillors and Mayors in an appropriate comparator group defined by a specialist consultant;
- (2) the salary level of Councillors and the Mayor be set at the greater of their current compensation or at the 50 percent percentile of the comparator group as at January 1, 2007, at the beginning of the new term; and
- (3) during the term of office compensation be adjusted annually to the Statistics Canada cost of living index for the City of Toronto.”

Moved by Deputy Mayor Bussin:

“That Recommendation (2) of the motion by Councillor Soknacki be amended by deleting ‘50 percent’ and inserting instead ‘75 percent’.”

38(a). Communication (June 12, 2006) from Councillor Soknacki.

39. 193 Geary Avenue – Automobile Service and Repair Shop (Ward 17 – Davenport)

Report 5, Clause 35(g)

Action taken by the Committee:

The Etobicoke York Community Council approved the following Resolution submitted by Councillor Palacio:

WHEREAS in early 1992 a development site bounded by Dufferin Street to the west, Geary Avenue to the north, Bartlett Avenue to the east and the CP Railway line to the south, existed and was municipally known as 187 Geary Avenue (the ‘Development’); and

WHEREAS the development’s site was severed into twenty-five building lots, each containing a one-storey industrial unit with vehicular access from Geary Avenue and with parking for three cars at the front; and

WHEREAS at the time the development was built, it had an industrial zoning referred to as “I2-D2”, which permits many automobile related uses; and

WHEREAS out of the twenty-five units built in this project four were actually designated on the original plans dated 1992 as motor vehicle repair shops with 193 Geary Avenue as one of the four so designated; and

WHEREAS three out of the four designated units are presently operating as motor vehicle repair shops; and

WHEREAS the 1992 building permit (No. 336-381) that was issued by the City of Toronto for the construction of unit 193 Geary Avenue identified automobile related uses as the intended use; and

WHEREAS in 1996 the City of Toronto passed an interim control by-law for parts of Geary Avenue, and subsequently the street was the subject of a zoning by-law amendment, that among other things, deleted several automobile related uses from the list of permitted uses; and

WHEREAS By-Law 438-86 was amended to prohibit automobile repair shops in the area, including 193 Geary Avenue; and

WHEREAS on January 21, 1999 building permit No. 420-994 was issued to make interior alterations to an existing automobile service and repair shop; and

WHEREAS on January 29, 1999 Lisgar Motors applied to the Toronto Licensing Commission for a license to operate a “public garage; repairs; used car sales 1-5”; and

WHEREAS on February 12, 1999, the Toronto Licensing Commission wrote to the owners of the Lisgar Motors (Mr. Almeida and Carvalho) advising that the proposed use is not permitted by zoning by-law No. 438-86, however, this position was subsequently reversed, and the purchasers were issued a license; and

WHEREAS the sale of the unit from DIAS to 893531 Ontario Limited (present owners/operators) was completed on March 26, 1999; and

WHEREAS by way of letter dated April 15, 1999, the previous owner, Mr. Dias was advised by the Deputy Chief Building Official and Director of Building, South District, that building permit No. 420-994 that had been issued to make interior alterations to an existing automobile service and repair shop had been revoked on the grounds that it was issued on mistaken information; and

WHEREAS the present owners/operators have retained a real estate agent that has been assisting them in their active search for adequate, leasehold premises to relocate to following the end of the temporary use period, but did not find anything suitable to date and the owners throughout this time have suffered significant financial hardship in trying to legitimize the auto repair uses on the premises; and

WHEREAS because they have been unable to find an alternative location, the owners/operators will be forced to close down their business, a business that provides the sole support for their young families; and

WHEREAS the current owners purchased the site in good faith recognized by the Ontario Municipal Board in its decision dated January 10, 2003 which states, “the

Board is not OBLIVIOUS of the fact that these owners are in some way, the ‘victims’ of circumstances as they were unaware of the intricacy of the process and it is apparent that there has been mishaps in the building permits”; and

WHEREAS the “Board is also cognizant that when the subject premises were designed and built, the auto use was permitted and that when the heavy armoury of an Interim control By-law and ‘downzoning’ are being deployed, some innocent bystanders may be prejudicially affected as in fact this case seems to demonstrate”; and

WHEREAS a petition was received with over 300 names of people acknowledging that the proprietors of Lisgar Motors do not negatively interfere or hinder their businesses, residences or the overall condition of the neighbourhood; and

WHEREAS the Courts, following upon the decision of the Ontario Municipal Board made an order that the owners shall not, after March 10, 2006, use the property at 193 Geary Avenue, Toronto, for the purpose of a motor vehicle repair shop, Class A, that the use cease following the expiry of the Temporary Use By-law which has now expired; and

WHEREAS in the unique circumstances of this case and provided the use as currently exists and subject to the conditions the Ontario Municipal Board imposed regarding parking continues to be provided, should not be seen as a precedent for other such uses and as the public will be heard from at the *Planning Act* public meeting in this matter,

NOW THEREFORE BE IT RESOLVED THAT the Director, Community Planning, Etobicoke York District, be requested to:

- (1) prepare a draft amending by-law(s) as may be required to permit one automobile service and repair shop on the property municipally known as 193 Geary Avenue, in the former City of Toronto, on a permanent basis, provided that parking, as currently required to be provided in accordance with the requirements of the General Manager of Transportation Services and the Ontario Municipal Order respecting these lands, continues to be provided and maintained for the sole use of 193 Geary Avenue;
- (2) provide the required notice of public meeting to be held before the Etobicoke York Community Council pursuant to the *Planning Act* in respect of the aforesaid draft by-law(s);
- (3) forward the draft by-law(s) to the Etobicoke York Community Council for the purpose of the Community Council considering their enactment and sending the matter on to City Council; and
- (4) to take such other action as may be required to implement the intent of this Motion.

40. Approval of Temporary Signage Permit for 3rd Annual Lakeshore Mardi Gras Festival (Ward 6 – Etobicoke-Lakeshore)

Report 5, Clause 33

The Etobicoke York Community Council recommends that City Council adopt the following Resolution submitted by Councillor Grimes:

WHEREAS Councillor Grimes has hosted the annual Mardi Gras event for the past two years and directs all of the proceeds to local charities; and

WHEREAS Mardi Gras is one of the largest music festivals in the City of Toronto and last year hosted over 60,000 during the three day event; and

WHEREAS promotion of this event has, each year, since its inception, relied on and involved the placement of various temporary signs at key locations and intersections in Etobicoke, erected approximately four weeks before the event and removed diligently within the week of the Mardi Gras conclusion; and

WHEREAS this organization's event has proven to be a success and previous signage erected during the past two years has generated no complaints to the office of the Ward Councillor; and

WHEREAS the Municipal Code Chapter 693, Section 693-25, which outlines the requirements for Signs being used to advertise charitable, non-profit and community events, does not permit any variance or appeal to the criteria which regulate temporary signage;

NOW THEREFORE BE IT RESOLVED THAT City Council approve the issuance of a special permit to Councillor Mark Grimes and organizers of the 2006 Mardi Gras event, to allow the placement of these signs, provided that they are removed within 12 hours of the event's closure, and that locations are reviewed in advance with staff to ensure that any sightline issues are resolved.

41. Request to Amend City of York Zoning By-law No. 1-83 for the Rogers Road/Oakwood Avenue Area to Implement Appropriate Zoning for the Arts District (Ward 17 – Davenport)

Report 5, Clause 35(h)

Action taken by the Committee:

The Etobicoke York Community Council recommends that City Council:

- (1) adopt the following Resolution submitted by Councillor Palacio; and**

- (2) consider this Resolution with Report 5, Clause 25, of the North York Community Council.

WHEREAS the areas in the vicinity of the intersection of Vaughan Road and Oakwood Avenue (Ward 15 – Eglinton-Lawrence) and Rogers Road and Oakwood Avenue (Ward 17 – Davenport) are designated as “Mixed Use Areas” in the new Official Plan; and

WHEREAS the area in the vicinity of Vaughan Road and Oakwood Avenue intersection is zoned Local Commercial/Residential Zone (LCR) in the City of York Zoning By-Law No. 1-83 and is located in Ward 15 (Eglinton-Lawrence); and

WHEREAS the area in the vicinity of Rogers Road and Oakwood Avenue intersection is zoned Local Commercial/Residential Zone (LCR) in the City of York Zoning By-Law No. 1-83 and the majority of this area is located in Ward 17 (Davenport); and

WHEREAS the present City of York Local Commercial/Residential Zone (LCR) which applies to these areas is very permissive in the range of permitted residential and commercial land uses, but may not permit the “arts studios” use defined within the City of York Zoning By-Law 1-83; and

WHEREAS the district has the highest concentration of persons involved in the arts in the City of Toronto (8% of the population); and

WHEREAS there have been requests from the local community to designate this district as an “Arts District”;

THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director be requested to:

- (1) review the zoning for these areas for designation as an “Arts District”;
- (2) introduce an amendment, if necessary, to the current Local Commercial/Residential Zone (LCR) zoning applying to these two areas which adds the “arts studio” use as defined in the City of York Zoning By-Law No. 1-83, as well as the “artists or photographers’ studio” and the “designer studio” and the “live-work unit” uses as defined in the City of Toronto Zoning By-Law No. 438-86; and
- (3) issue public notice under the *Planning Act*, if necessary, for consideration of this By-Law Amendment at a Public Meeting at the Planning and Transportation Committee to be held on September 5, 2006.

42. Exploration of Possible Partnership Opportunity between the City and YMCA for a Community Centre on Grand Avenue (Ward 6 – Etobicoke-Lakeshore)

Report 5, Clause 35(i)

Action taken by the Committee:

The Etobicoke York Community Council approved the following Resolution by Councillor Grimes:

WHEREAS City Council at its Special Meeting on December 9, 2005, adopted a motion:

“That the General Manager, Parks, Forestry and Recreation, be requested to report to the Economic Development and Parks Committee, prior to the 2007 budget process, on partnership opportunities between the City and the YMCA for building community recreation centres throughout the City.”

(Ref. Policy and Finance Committee Report 12, Clause 3, headed “City of Toronto 2006 Budget Advisory Committee Recommended Capital Budget and 2007-2010 Preliminary Capital Plan, and Capital Program: Citizen Centred Services A, Parks, Forestry and Recreation, para. (j); and

WHEREAS the City-owned site on Grand Avenue is a potential surplus site which can be used to build a community centre; and

WHEREAS the YMCA is interested in finding a location to operate a recreation facility in the Etobicoke – Lakeshore region; and

WHEREAS there have been several requests from residents and community organizations in Ward 6 (Etobicoke-Lakeshore) to build a community centre in the area; and

WHEREAS Grand Avenue is a good location as it is strategically located on the borders of Ward 5 (Etobicoke-Lakeshore) and Ward 6 (Etobicoke-Lakeshore); and

WHEREAS, the proposed site is in close proximity from Stonegate Community LAMP community Health Centre; and

WHEREAS the Grand Avenue site can be well connected by public transportation and can be easily accessible;

NOW THEREFORE BE IT RESOLVED THAT the Director, Parks, Forestry and Recreation, Etobicoke York District, be requested to:

- (1) initiate a meeting with the Councillors for Wards 5 and 6, the Executive Director, Facilities and Real Estate and Representatives of the YMCA to explore possible partnership opportunities; and**

- (2) submit a report on the outcome of the meeting to the July 11, 2006 meeting of the Etobicoke York Community Council.

43. Condition of Property at 179 John Street (Ward 11 – York South-Weston)

Report 5, Clause 34

The Etobicoke York Community Council recommends that City Council adopt the following Resolution by Councillor Nunziata:

WHEREAS there were two (2) building permits issued in 2003 for the property at 179 John Street in the former City of York; and

WHEREAS the front lawn of this property has been excavated approximately six to seven feet which is an eyesore; and

WHEREAS the applicant has been taken to Court and has refused to comply;

NOW THEREFORE BE IT RESOLVED THAT the Director of Building and Deputy Chief Building Official, and the District Manager, Municipal Licensing and Standards Division, Etobicoke York District, be authorized take any necessary action to clean up the excavated material and construction debris at 179 John Street and put in place any safety barriers to secure the site;

AND BE IT FURTHER RESOLVED THAT the cost of such work be charged to the property owner(s), in accordance with the applicable legislation and City by-laws.

- 44. Request for “One-Hour Parking” on the north side of Hollis Street between Weston Road and Mount Dennis Community Hall to be changed to “No Stopping” (Ward 11 – York South-Weston)**

Report 5, Clause 35(j)

Action taken by the Committee:

The Etobicoke York Community Council requested the Director, Transportation Services, Etobicoke York District, to report to its July 11, 2006 meeting on changing the current “One Hour Parking” on the north side of Hollis Street between Weston Road and Mount Dennis Community Hall, to “No Stopping”.

Communication (June 12, 2006) from Councillor Nunziata advising that Ms. Lynn Chapman of Humber Senior Services is requesting that the “One Hour Parking” on the north side of Hollis Street between Weston Road and Mount Dennis Community Hall, be changed to “No Stopping”.

45. Request for Signage at 1167 Weston Road (Ward 11 – York South-Weston)

Report 5, Clause 35(k)

Action taken by the Committee:

The Etobicoke York Community Council requested the Director, Transportation Services, Etobicoke York District, to report to its July 11, 2006 meeting on the installation of appropriate signage at 1167 Weston Road to ensure the safety of seniors visiting the centre.

Communication (June 12, 2006) from Councillor Nunziata advising that Ms. Lynn Chapman of Humber Community Senior Services is requesting that sign stating either “Seniors Loading Zone” or “Handicapped Loading Zone” be installed directly in front of 1167 Weston Road, the location of the centre, as a safety measure for the seniors.

46. Request for information on service changes and budget impacts for projects in the Etobicoke York District

Report 5, Clause 35(l)

Action taken by the Committee:

The Etobicoke York Community Council requested the Director, Parks, Forestry and Recreation, Etobicoke York District, to advise the members of the Etobicoke York Community Council, on any budget impacts that may result from a change in service on any projects in their Wards, prior to any Budget Advisory Committee meeting, or other Standing Committee meetings, where budgets are discussed.

**47. Parking Concerns on the east side of Duckworth Avenue
(Ward 12 – York South-Weston)**

Report 5, Clause 35(m)

Action taken by the Committee:

The Etobicoke York Community Council requested the Director, Transportation Services, Etobicoke York District, to report to the July 11, 2006 meeting on options to address the parking concerns on the east side of Duckworth Avenue.

Communication (June 13, 2006) from Councillor Di Giorgio advising of complaints received from Church patrons and the parish priests regarding the tagging of vehicles on Sunday on the east side of Duckworth Avenue; and requesting that the Director of Transportation Services submit a report to the July 11, 2006 meeting outlining changes to the existing prohibitions as well as other options that may be helpful, as a revised parking scheme will be more consistent with signage in other Church areas.

48. Scheduling of Speakers at the Etobicoke York Community Council meetings

Report 5, Clause 35(n)

Action taken by the Committee:

The Etobicoke York Community Council requested the City Clerk to group speaker items to be listed at one specific time, for the July 11, 2006 meeting.