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## Etobicoke York Community Council

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<b>Meeting No.</b>	15	<b>Contact</b>	Glenda Jagai, Committee Administrator
<b>Meeting Date</b>	Tuesday, April 8, 2008	<b>Phone</b>	416-394-2516
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	etcc@toronto.ca
<b>Location</b>	Council Chamber, Etobicoke Civic Centre		

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Item		Page
EY15.17	Designation of Fire Routes and Amendment to Chapter 880 - Fire Routes 5129 Dundas Street West (Ward: 5)	1
EY15.18	Designation of Fire Routes and Amendment to Chapter 880 - Fire Routes 1561 The Queensway (Ward: 5)	2
EY15.25	Queens Plate Drive and Highway No. 27 - Exclusive Right Turn Lane (Ward: 2)	3
EY15.40	1 West Deane Park Drive - Zoning Amendment Application - Final Report (Ward: 3)	3
EY15.41	147 Brandon Avenue Extension of By-law 533-2007 Exempting the Lands from Part Lot Control (Ward: 17)	5
EY15.43	Liquor Licence Application - Brisas Del Mar, 24 Rivalda Road (Ward: 7)	6
EY15.44	1053 and 1061 The Queensway and 7-11, 19-25, 33-35 and 45 Zorra Street - Amendment to Subdivision Agreement for Geothermal System Pilot Project (Ward: 5)	8
EY15.45	270-272 Ryding Avenue; Appeal of Committee of Adjustment Decision (Ward: 11)	9
EY15.46	Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision on Minor Variance Applications for 19 Maple Bush Avenue, Lot 113 to 114, Plan 1945 (Ward: 11)	10

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## Etobicoke York Community Council

**Meeting No.** 15  
**Meeting Date** Tuesday, April 8, 2008  
**Start Time** 9:30 AM  
**Location** Council Chamber, Etobicoke Civic Centre

**Contact** Glenda Jagai, Committee Administrator  
**Phone** 416-394-2516  
**E-mail** etcc@toronto.ca

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EY15.17	NO AMENDMENT			Ward: 5
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### Designation of Fire Routes and Amendment to Chapter 880 - Fire Routes 5129 Dundas Street West

#### City Council Decision

City Council on April 28 and 29, 2008, adopted the following motions:

1. City Council approve 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 address set out below being designated as a fire route pursuant to Municipal Code Chapter 880, 5129 Dundas Street West.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

(March 12, 2008) Report from Fire Chief

#### Committee Recommendations

The Etobicoke York Community Council recommends that City Council:

1. Approve 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 address set out below being designated as a fire route pursuant to Municipal Code Chapter 880, 5129 Dundas Street West.
2. Authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

## Financial Impact

There are no financial implications associated with this report.

## Summary

To obtain Council approval for the amendment of the Fire Route By-law to designate certain locations as fire routes within the meaning of City of Toronto Municipal Code Chapter 880, as amended.

Fire Services uses designated fire routes as a key mechanism in regulating fire prevention, including the prevention of spreading of fires and the delivery of fire protection services.

## Background Information

March 12, 2008 report

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11621.pdf>)

By-law

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11460.pdf>)

EY15.18	NO AMENDMENT			Ward: 5
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## Designation of Fire Routes and Amendment to Chapter 880 - Fire Routes 1561 The Queensway

### City Council Decision

City Council on April 28 and 29, 2008, adopted the following motions:

1. City Council approve 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 address set out below being designated as a fire route pursuant to Municipal Code Chapter 880, 1561 The Queensway.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

(March 18, 2008) Report from Fire Chief

### Committee Recommendations

The Etobicoke York Community Council recommends that City Council:

1. Approve 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 address set out below being designated as a fire route pursuant to Municipal Code Chapter 880, 1561 The Queensway.
2. Authorize the Fire Chief and City Solicitor to take the appropriate action to make a

designated Fire Route.

### Financial Impact

There are no financial implications associated with this report.

### Summary

To obtain Council approval for the amendment of the Fire Route By-law to designate certain locations as fire routes within the meaning of City of Toronto Municipal Code Chapter 880, as amended.

Fire Services uses designated fire routes as a key mechanism in regulating fire prevention, including the prevention of spreading of fires and the delivery of fire protection services.

### Background Information

March 18, 2008 report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11622.pdf>

By-law

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11623.pdf>

EY15.25	NO AMENDMENT			Ward: 2
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### Queens Plate Drive and Highway No. 27 - Exclusive Right Turn Lane

#### City Council Decision

City Council on April 28 and 29, 2008, adopted the following motion:

1. City Council approve the westbound curb lane on Queens Plate Drive at Highway 27 for right turning vehicles only.

(February 28, 2008) Report from Director, Transportation Services, Etobicoke York District

#### Committee Recommendations

The Etobicoke York Community Council recommends that City Council approve:

1. The westbound curb lane on Queens Plate Drive at Highway 27 for right turning vehicles only.

#### Financial Impact

Type of Funding	Source of Funds	Amount
Available within current budget	Transportation Services Operating Budget	\$300.00

#### Summary

The purpose of this report is to propose the installation of an exclusive westbound right turn lane on Queens Plate Drive at Highway No. 27.

It is appropriate to install an exclusive westbound right turn lane based on the existing lane configuration, observations and historical traffic counts.

As the Toronto Transit Commission (TTC) operates a transit service on Queens Plate Drive, TTC has been consulted and support designating the westbound right turn lane.

### Background Information

February 28, 2008 report

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11539.pdf>)

Attachment

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11540.pdf>)

EY15.40	NO AMENDMENT			Ward: 3
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### 1 West Deane Park Drive - Zoning Amendment Application - Final Report

#### City Council Decision

City Council on April 28 and 29, 2008, adopted the following motions:

1. City Council amend the former City of Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment as described in this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:
  - a. submit a satisfactory Servicing and Grading Plan for the review and acceptance by the Executive Director, Technical Services;
  - b. revise Site Plan – SP-1 drawing, dated November 12, 2007, and prepared by PMG Planning Consultants to correctly show the 2.805 road widening (which includes the existing 0.305 metre reserve) and the new 0.300 reserve along The East Mall;
  - c. submit a revised Landscape Plan to address Urban Forestry Division’s comments, to the satisfaction of the General Manager, Parks, Forestry and Recreation Division;
  - d. resolve all outstanding Urban Forestry issues, including providing all Tree

Protection and/or Tree Removal fees, to the satisfaction of the General Manager, Parks, Forestry and Recreation Services; and

- e. submit a noise study including an attenuation strategy to the satisfaction of the Director, Community Planning, Etobicoke York District.

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Statutory - Planning Act, RSO 1990

(March 18, 2008) Report from Director, Community Planning, Etobicoke York District

### **Committee Recommendations**

The Etobicoke York Community Council recommends that City Council:

1. Amend the former City of Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment as described in this report.
2. Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, require the owner to:
  - a. submit a satisfactory Servicing and Grading Plan for the review and acceptance by the Executive Director, Technical Services;
  - b. revise Site Plan – SP-1 drawing, dated November 12, 2007 and prepared by PMG Planning Consultants to correctly show the 2.805 road widening (which includes the existing 0.305 metre reserve) and the new 0.300 reserve along The East Mall;
  - c. submit a revised Landscape Plan to address Urban Forestry Division's comments, to the satisfaction of the General Manager, Parks, Forestry and Recreation Division;
  - d. resolve all outstanding Urban Forestry issues, including providing all Tree Protection and/or Tree Removal fees, to the satisfaction of the General Manager, Parks, Forestry and Recreation Services; and
  - e. submit a noise study including an attenuation strategy to the satisfaction of the Director, Community Planning, Etobicoke York District.

### **Decision Advice and Other Information**

The Etobicoke York Community Council held a statutory public meeting on April 8, 2008; and notice was given in accordance with the Planning Act.

## Financial Impact

The recommendations in this report have no financial impact.

## Summary

This application was made on June 29, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

An application has been submitted to permit the construction of six detached dwellings at 1 West Deane Park Drive. The site was previously a gas station.

The proposal provides an opportunity to incorporate one of the few remaining non-residential sites into the existing residential fabric of the surrounding neighbourhood. The proposed built-form and relationship to the public streets compliments the existing residential dwellings to the north and east of the development. The development represents an appropriate level of residential intensification for the area.

This report reviews and recommends approval of an application to amend the former City of Etobicoke Zoning Code.

## Background Information

March 18, 2008 report

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11685.pdf>)

Notice

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11686.pdf>)

By-law

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-12025.pdf>)

## Speakers

Randal Dickie, PMG Planning Consultants

Andrew H. McDonald

EY15.41	NO AMENDMENT			Ward: 17
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## 147 Brandon Avenue Extension of By-law 533-2007 Exempting the Lands from Part Lot Control

### City Council Decision

City Council on April 28 and 29, 2008, adopted the following motions:

1. City Council enact a By-law to extend the term of By-law No. 533-2007 to allow the lands municipally known as 147 Brandon Avenue to be exempt from Part Lot Control for an additional one year period, in accordance with the draft By-law attached as Attachment 3.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft By-law as may be required.
3. City Council authorize and direct the appropriate City officials to register the By-law on title.

(March 17, 2008) Report from Director, Community Planning, Etobicoke York District

### **Committee Recommendations**

The Etobicoke York Community Council recommends that City Council:

1. Enact a By-law to extend the term of By-Law No. 533-2007 to allow the lands municipally known as 147 Brandon Avenue to be exempt from Part Lot Control for an additional one year period, in accordance with the draft By-law attached as Attachment 3.
2. Authorize the City Solicitor to make such stylistic and technical changes to the draft By-law as may be required.
3. Authorize and direct the appropriate City Officials to register the By-law on title.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Summary**

The purpose of this report is to recommend that By-law No. 533-2007 be extended for an additional one year period to allow for the lands municipally known as 147 Brandon Avenue to be exempt from Part Lot Control.

Currently, Somerset Homes is developing the site with five pairs of semi-detached dwellings (10 units) and the project is not yet complete. The applicant has requested that By-law No. 533-2007 be extended for an additional one year period to allow sufficient time for the dwelling units to be completed, sold and conveyed to the individual purchasers.

### **Background Information**

March 17, 2008 report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11524.pdf>

EY15.43	NO AMENDMENT			Ward: 7
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### **Liquor Licence Application - Brisas Del Mar, 24 Rivalda Road**

### **City Council Decision**



City Council on April 28 and 29, 2008, adopted the following motions:

1. City Council authorize the City Solicitor to advise the Alcohol and Gaming Commission of Ontario (AGCO) of Council's conditional support for the new liquor licence application made by Brisas Del Mar located at 24 Rivalda Road, provided that the following conditions, in the form substantially set out below, are attached to the liquor licence:

Conditions to be attached to new Liquor Licence for  
Brisas Del Mar, 24 Rivalda Road, Toronto

- a. The Licensed Premises shall close no later than 3:30 a.m. each day and no patrons will be allowed to enter or remain on the Licensed Premises after 4:00 a.m.
  - b. The Premises shall not be used for an "after hours club".
  - c. On Thursday, Friday and Saturday evenings after 8 p.m. while the Licensed Premises are open to patrons and for at least one hour after the Licensed Premises are closed to patrons, the Licensed Premises shall be staffed with at least one visibly identifiable security guard for every 100 patrons in the Licensed Premises.
  - d. All security guards shall wear identification or clothing by which they can readily be identified as security guards.
  - e. The Licensee, acting reasonably, shall not admit anyone who wears gang paraphernalia of any kind including gang colours, bandanas, insignia, emblems or clothing.
  - f. All managers, employees and security staff working at the Licensed Premises must successfully complete an AGCO-approved server training course within ninety (90) days of the start of employment at the Licensed Premises.
  - g. The Licensee, acting reasonably, shall not play, or permit to be played, music, whether live or recorded, that has lyrics that sanction, promote or glamorize guns, knives or violence against women and police officers.
  - h. The Licensee shall not play, or permit to be played, music, whether live or recorded, on the outdoor patio after 11:00 p.m.
  - i. The Licensee shall ensure that adequate soundproofing is installed so as to ensure that no resident is disturbed by noise emanating from the premises.
2. City Council authorize the City Solicitor to make modifications to the above conditions if deemed necessary and satisfactory to the City Solicitor.
  3. City Council authorize the City Solicitor to attend all proceedings before the AGCO in

this matter and be directed to take all necessary actions so as to give effect to this Motion.

(April 8, 2008) Member Motion from Councillor Giorgio Mammoliti

### **Committee Recommendations**

The Etobicoke York Community Council recommends that City Council:

1. Authorize the City Solicitor to advise the Alcohol and Gaming Commission of Ontario (AGCO) of Council's conditional support for the new liquor licence application made by Brisas Del Mar located at 24 Rivalda Road, provided that the following conditions, in the form substantially set out below, are attached to the liquor licence:

Conditions to be attached to new Liquor Licence for  
 Brisas Del Mar, 24 Rivalda Road, Toronto

- a. The Licensed Premises shall close no later than 3:30 a.m. each day and no patrons will be allowed to enter or remain on the Licensed Premises after 4:00 a.m.
- b. The Premises shall not be used for an "after hours club".
- c. On Thursday, Friday and Saturday evenings after 8 p.m. while the Licensed Premises are open to patrons and for at least one hour after the Licensed Premises are closed to patrons, the Licensed Premises shall be staffed with at least one visibly identifiable security guard for every 100 patrons in the Licensed Premises.
- d. All security guards shall wear identification or clothing by which they can readily be identified as security guards.
- e. The Licensee, acting reasonably, shall not admit anyone who wears gang paraphernalia of any kind including gang colours, bandanas, insignia, emblems or clothing.
- f. All managers, employees and security staff working at the Licensed Premises must successfully complete an AGCO-approved server training course within ninety (90) days of the start of employment at the Licensed Premises.
- g. The Licensee, acting reasonably, shall not play, or permit to be played, music, whether live or recorded, that has lyrics that sanction, promote or glamorize guns, knives or violence against women and police officers.
- h. The Licensee shall not play, or permit to be played, music, whether live or recorded, on the outdoor patio after 11:00 p.m.

- i. The Licensee shall ensure that adequate soundproofing is installed so as to ensure that no resident is disturbed by noise emanating from the premises.
- 2. Authorize the City Solicitor to make modifications to the above conditions if deemed necessary and satisfactory to the City Solicitor.
- 3. Authorize the City Solicitor to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions so as to give effect to this Motion.

**Summary**

An application for a new liquor licence has been made to the Alcohol and Gaming Commission of Ontario (“AGCO”) for an establishment to be known as Brisas Del Mar located at 24 Rivalda Road. Although there has been a licensed establishment located at this premises in the past, this is a new application by a new owner. The seating capacity for the premises is not being changed. It has an indoor seating capacity of 253 and an outdoor seating capacity of 30.

The applicant is willing to have conditions attached to the liquor licence that would help to alleviate any concerns regarding a new liquor licence at these premises. Accordingly, the purpose of this Motion is to authorize the City Solicitor to advise the AGCO of City Council’s conditional support of a liquor licence at these premises provided that conditions, substantially in the form below, are attached to the licence.

**Background Information**

Motion

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-12057.pdf>

EY15.44	NO AMENDMENT			Ward: 5
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**1053 and 1061 The Queensway and 7-11, 19-25, 33-35 and 45 Zorra Street - Amendment to Subdivision Agreement for Geothermal System Pilot Project**

**City Council Decision**

City Council on April 28 and 29, 2008, adopted the following motions:

- 1. City Council authorize the amendment of the Subdivision Agreement dated February 12, 2008, between the City of Toronto and 1469191 Ontario Limited and 2020235 Ontario Limited, registered as Instrument No. AT1723564 on February 29, 2008, to permit, for nominal consideration, the fee simple conveyance from the owner to Enwave Energy Corporation (“Enwave”) of that portion of the subsurface of Block 5 on the Plan of Subdivision generally being below the elevation of 2.5 metres below the final grade of Block 5, and to authorize the remaining portion of Block 5, which is to be conveyed to the City for parkland, to be encumbered by an easement in favour of Enwave for limited access, such amending subdivision agreement, conveyance and easement to be on terms and conditions satisfactory to the General

Manager of Parks, Forestry and Recreation, in consultation with the City Solicitor, including the authority to the General Manager to authorize such minor adjustments to the location of the property line between the City's parkland and Enwave's geothermal system as may be necessary for technical reasons.

2. City Council, in so authorizing and carrying out the conveyances noted in Part 1 to Enwave for nominal consideration, make a grant in-kind (i.e., no monies will change hands) to Enwave of \$1,972,000.00, being the market value of the subsurface fee simple conveyance and limited access easement, such grant being considered by City Council to be in the interests of the municipality to promote renewable energy sources.
3. City Council direct the General Manager of Parks, Forestry and Recreation, in conjunction with staff from the Toronto Atmospheric Fund, to report to Parks and the Environment Committee within 2 years of the completion of the geothermal system and the parkland construction with respect to the operation of the geothermal system, the functioning and programming of the park and any implementation issues in combining these two uses in a stratified manner.
4. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

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(April 8, 2008) Report from General Manager, Parks, Forestry and Recreation and Director, Community Planning, Etobicoke York District

### **Committee Recommendations**

The Etobicoke York Community Council recommends that City Council:

1. Authorize the amendment of the Subdivision Agreement dated February 12, 2008 between the City of Toronto and 1469191 Ontario Limited and 2020235 Ontario Limited registered as Instrument No. AT1723564 on February 29, 2008, to permit, for nominal consideration, the fee simple conveyance from the owner to Enwave Energy Corporation ("Enwave") of that portion of the subsurface of Block 5 on the Plan of Subdivision generally being below the elevation of 2.5 metres below the final grade of Block 5, and to authorize the remaining portion of Block 5, which is to be conveyed to the City for parkland, to be encumbered by an easement in favour of Enwave for limited access, such amending subdivision agreement, conveyance and easement to be on terms and conditions satisfactory to the General Manager of Parks, Forestry and Recreation in consultation with the City Solicitor, including the authority to the General Manager to authorize such minor adjustments to the location of the property line between the City's parkland and Enwave's geothermal system as may be necessary for technical reasons.
2. In so authorizing and carrying out the conveyances noted in Recommendation 1 to Enwave for nominal consideration, make a grant in-kind (i.e. no monies will change hands) to Enwave of \$1,972,000 being the market value of the subsurface fee simple conveyance and limited access easement, such grant being considered by City Council

to be in the interests of the municipality to promote renewable energy sources.

3. Direct the General Manager of Parks, Forestry and Recreation in conjunction with staff from the Toronto Atmospheric Fund to report to Parks and the Environment Committee within 2 years of the completion of the geothermal system and the parkland construction with respect to the operation of the geothermal system, the functioning and programming of the park and any implementation issues in combining these two uses in a stratified manner.
4. Authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

**Financial Impact**

The recommendations in this report have no financial impact.

**Summary**

To authorize an amendment to the Subdivision Agreement for 1053 and 1061 The Queensway and 7-11, 19-25, 33-35 and 45 Zorra Street to permit the subsurface of lands intended for parkland to be conveyed to Enwave Energy Corporation for the purpose of installing and operating a geothermal system to service the residential and commercial uses within the plan of subdivision.

**Background Information**

April 8, 2008 report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-12058.pdf>

EY15.45	NO AMENDMENT			Ward: 11
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**270-272 Ryding Avenue; Appeal of Committee of Adjustment Decision**

**City Council Decision**

City Council on April 28 and 29, 2008, adopted the following motion:

1. City Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board to advise of any additional variances and to request that the Board impose the following conditions if it grants approval of the minor variances for 270-272 Ryding Avenue:
  - a. the owner clearly delineate and maintain the parking spaces and parking area generally in accordance with the application’s site plan, including the proper surfacing thereof to the satisfaction of the Director of Community Planning, Etobicoke York District;
  - b. the owner submit a plan to improve, with landscaping, the east rear yard area

between the parking spaces and building to prevent car parking or storage and complete and maintain the landscaping in accordance with the plan, all to the satisfaction of the Director of Community Planning, Etobicoke York District;

- c. the owner submit a plan of the location and details of enclosed garbage storage facilities and provide and maintain the facilities in accordance with the plan, all to the satisfaction of the Director of Community Planning, Etobicoke York District; and
- d. the owner make application for a building permit to legalize the additional existing units with the submission of “as built” drawings showing compliance with the Ontario Building Code.

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(April 7, 2008) Member Motion from Councillor Frances Nunziata

### **Committee Recommendations**

The Etobicoke York Community Council recommends that City Council:

1. Authorize the City Solicitor and City Planning Staff to attend the Ontario Municipal Board to advise of any additional variances and to request that the Board impose the following conditions if it grants approval of the minor variances for 270-272 Ryding Avenue:
  - a. the owner clearly delineate and maintain the parking spaces and parking area generally in accordance with the application’s site plan, including the proper surfacing thereof to the satisfaction of the Director of Community Planning, Etobicoke York District;
  - b. the owner submit a plan to improve, with landscaping, the east rear yard area between the parking spaces and building to prevent car parking or storage and complete and maintain the landscaping in accordance with the plan, all to the satisfaction of the Director of Community Planning, Etobicoke York District;
  - c. the owner submit a plan of the location and details of enclosed garbage storage facilities and provide and maintain the facilities in accordance with the plan, all to the satisfaction of the Director of Community Planning, Etobicoke York District; and,
  - d. the owner make application for a building permit to legalize the additional existing units with the submission of “as built” drawings showing compliance with the Ontario Building Code.

### **Decision Advice and Other Information**

The Etobicoke York Community Council directed the Manager, Municipal Licensing and Standard Division to conduct an exterior inspection of this property and investigate any

property standards and by-law infractions with respect to on-site garbage, garbage storage, fencing and other related issues.

Recorded vote on the motion by Councillor Nunziata:

Yes: Councillors Di Giorgio, Grimes, Hall, Holyday, Milczyn, Nunziata and Palacio (7)  
 No: Councillors Ford and Saundercook (2)  
 Absent: Councillors Lindsay Luby and Mammoliti (2)

Carried.

### Summary

On February 21, 2008, the Committee of Adjustment refused an application seeking approval to legalize and to maintain the existing 15-unit apartment building and parking area

### Background Information

April 7, 2008 motion

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-12102.pdf>)

Notice of Decision

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-12103.pdf>)

### Speakers

Anwar Kureshi

EY15.46	AMENDED			Ward: 11
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### Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision on Minor Variance Applications for 19 Maple Bush Avenue, Lot 113 to 114, Plan 1945

**Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board**

### City Council Decision

City Council on April 28 and 29, 2008, adopted the following motions:

1. City Council adopt the recommendations in confidential Attachment 1.
2. City Council authorize the public release of the recommendation contained in Confidential Attachment 1, if adopted by Council.

The following recommendation contained in Confidential Attachment 1 to the motion (April 8, 2008) from Councillor Nunziata, is now public. The balance of Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto

Act, 2006, as it contains information related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board:

1. City Council authorize the City Solicitor to:
  - i. disregard the previous City Council approved motion authorizing the City Solicitor to retain and outside planning consultant and attend the Ontario Municipal Board hearing in opposition to consent application B74/06EYK for 19 Maple Bush Avenue; and
  - b. request the Ontario Municipal Board to impose the following conditions if it grants consent approval and approves the minor variances for 19 Maple Bush Avenue:

For Consent Application (Municipal File No. B74/06 EYK):

- i. confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department;
- ii. the owner to make cash payment in lieu of parkland dedication pursuant to the applicable by-law;
- iii. that the conditions of minor variance approval be fulfilled;
- iv. Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Technical Services;
- v. arrangements satisfactory to Technical Services shall be made in regard to servicing requirements for the conveyed lots;
- vi. the applicant obtain clearance from Urban Forestry, Tree Protection Plan review for the removal of the City Owned Tree abutting the subject lands;
- vii. two copies of the registered reference plan of survey integrated with the Ontario Co-ordinate System and listing the Parts and their respective areas, shall be filed with City Surveyor, Survey and Mapping, technical services;
- viii. three copiers of the registered reference plan of survey satisfying the requirements of the City Surveyor, shall be filed with the Committee of Adjustment; and
- ix. within one year of the date of giving this notice of decision/order, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O Reg. 197/96, referencing either



subsection 50(3) or (5) or subsection 53(42) of the Planning Act, as it pertains to the conveyed land and/or consent transaction.

For Minor Variance Applications (Municipal File Nos.A156/08 EYK and A 157/08 EYK):

- i. the entire slope of the proposed depressed driveways be contained within the applicant's property limit;
- ii. hedges, trees and screen fences are prohibited within the Maple Bush Avenue right-of-way and within 3.0 metres of the applicant's front lot line; and
- iii. the portions of the proposed walkways connecting to the existing sidewalk on Maple Bush Avenue must be constructed with impressed concrete or alternatively, constructed according to City of Toronto Standard No. T-561.030-1.

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(April 8, 2008) Member Motion from Councillor Frances Nunziata

### **Committee Recommendations**

The Etobicoke York Community Council recommends that City Council:

1. Adopt the recommendations in confidential Attachment 1.

### **Summary**

Request for attendance at an Ontario Municipal Board Hearing regarding an appeal of Committee of Adjustment Decision on Minor Variance applications for 19 Maple Bush Avenue, Lot 113 to 114, Plan 1945.

### **Background Information**

April 8, 2008 motion

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-12177.pdf>

*Submitted Tuesday, April 8, 2008*

*Councillor Frances Nunziata, Chair, Etobicoke York Community Council*