

THE CITY OF TORONTO

City Clerk's Division

Minutes of the West Community Council

Meeting No. 4

Wednesday, April 4, 2001.

The West Community Council met on Wednesday, April 4, 2001, in the Council Chambers, Etobicoke Civic Centre, 399 The West Mall, Etobicoke, commencing at 9:35 a.m.

Attendance:

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

	9:35 a.m. to 11:55 a.m.	3:10 p.m. to 4:50 p.m.	8:05 p.m. to 10:45 p.m.
Councillor Irene Jones (Chair)	X	X	X
Councillor Rob Ford	X	X	X
Councillor Suzan Hall	X	X	X
Councillor Douglas Holyday	X	X	X
Councillor Gloria Lindsay Luby	X	X	X
Councillor Peter Milczyn	X	X	X

Councillor Jones in the Chair.

Confirmation of Minutes.

On motion by Councillor Milczyn, the Minutes of the meeting of the West Community Council held on February 14, 2001, were confirmed.

4.1 Request to Install Traffic Control Signals: The Queensway and Grand Avenue (Ward 5 - Etobicoke-Lakeshore).

The West Community Council had before it a report (March 7, 2001) from the Director, Transportation Services, advising that City Council, on October 3, 4 and 5, 2000, in adopting Clause No. 38 of Report No. 11 of The Etobicoke Community Council, headed "Application to Lift the Holding (H) Provisions; Mystic Pointe 3 Holdings Inc. (Phase II), 2 Algoma Street; File No. Z-2285 (Lakeshore-Queensway)", amongst other

things, requested the Director, Transportation Services, District 2, to submit a report to the appropriate Community Council on the installation of traffic control signals in the immediate future at the intersection of The Queensway and Grand Avenue; and recommending that traffic control signals not be installed at the intersection of The Queensway and Grand Avenue, as the technical warrants are not satisfied at this time.

On motion by Councillor Milczyn, the West Community Council referred the aforementioned report back to the Director, Transportation Services, District 2, with a request that he review its findings in light of Item No. 1.2.2., subsection 2 (Frequent and Safe Pedestrian Crossings), contained in the recently published report referred to as The Queensway Concept Plan, prepared by the Kirkland Partnership.

(Sent to: Director, Transportation Services, District 2; c. Director, Community Planning, West District; Mr. Andre Filippetti, Supervisor, Traffic Engineering, Traffic Operations, District 2 – April 5, 2001)

(Clause No. 25 (i), Report No. 3)

4.2 Installation of Traffic Control Signals: Highway No. 27 and Royalcrest Road (Ward 1 - Etobicoke North).

The West Community Council had before it a report (February 27, 2001) from the Director, Transportation Services, District 2, respecting a request from an area resident for the installation of traffic control signals; and recommending that:

- (1) traffic control signals be installed at the intersection of Highway No. 27 and Royalcrest Road; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Holyday, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 1, Report No. 3)

4.3 Installation of Traffic Control Signals: Intersection of The Queensway and IKEA (1475 and 1505 The Queensway) (Ward 5 - Etobicoke-Lakeshore).

The West Community Council had before it a report (February 28, 2001) from the Director, Transportation Services, District 2, advising that the installation of traffic

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control signals at the intersection of The Queensway and IKEA, approximately 60 metres east of Algie Avenue, is one of the conditions of site plan approval for the proposed IKEA development at 1405 and 1505 The Queensway; that as a condition of site plan control approval for an application by the Queensway Cathedral Church located on the north side of The Queensway, opposite the proposed IKEA site, the Church is required to align its main driveway with the proposed IKEA access driveway so that it can be included within the proposed traffic control signals; and recommending that:

- (1) traffic control signals be installed on The Queensway and the main access driveway to the IKEA development, approximately 60 metres east of Algie Avenue;
- (2) installation of the traffic control signals be subject to the receipt of funding from the developer (IKEA), and the Queensway Cathedral Church; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Milczyn, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 2, Report No. 3)

**4.4 Introduction of Parking Prohibition: Claireport Crescent
(Ward 1 – Etobicoke North).**

The West Community Council had before it a report (March 2, 2001) from the Director, Transportation Services, District 2, respecting a request from the Toronto Transit Commission for a parking prohibition to alleviate the delay to buses caused by excessive on-street parking on both sides of Claireport Crescent; and recommending that:

- (1) parking be prohibited on the east, north and west sides (inner crescent) of Claireport Crescent between its west and east intersections with Albion Road; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Hall, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 3, Report No. 3)

**4.5 Introduction of Parking Prohibition: Eagle Road
(Ward 5 - Etobicoke-Lakeshore).**

The West Community Council had before it a report (March 5, 2001) from the Director, Transportation Services, District 2, respecting a request from area residents for a parking prohibition to prevent the long-term parking of vehicles by patrons of the Islington Subway Station; and recommending that:

- (1) parking be prohibited on both sides of Eagle Road between Van Dusen Boulevard and Springbrook Gardens, between the hours of 8:00 a.m. to 5:00 p.m., Monday to Friday; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Milczyn, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 4, Report No. 3)

**4.6 Introduction of On-Street Parking Permits: Rabbit Lane
(Ward 3 - Etobicoke Centre).**

The West Community Council had before it a report (March 13, 2001) from the Director, Transportation Services, District 2, respecting a request from the residents of the townhouse apartment building at 40 Rabbit Lane for on-street parking permits as a result of the future residential redevelopment of East Mall Plaza, which eliminates the off-street parking previously enjoyed by the residents; and recommending that:

- (1) the current "No Parking Anytime" restriction on the west side of Rabbit Lane, between West Deane Park Drive and Robinglade Drive, be deleted;
- (2) on-street parking permits be introduced on the west side of Rabbit Lane, between West Deane Park Drive and Robinglade Drive, effective between the hours of 12:00 a.m. and 6:00 a.m., seven days a week; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Milczyn, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 5, Report No. 3)

**4.7 Prohibition of Northbound and Southbound Through Movements:
Dundas Street West, Royalavon Crescent and Michael Power Place Intersection
(Ward 5 - Etobicoke-Lakeshore).**

The West Community Council had before it a report (March 5, 2001) from the Director, Transportation Services, District 2, respecting transportation movements as a result of new residential developments in the area of Dundas Street West, Royalavon Crescent and Bloor Street; and recommending that:

- (1) through vehicle movements at the north and south approaches to the Dundas Street West/Royalavon Crescent/Michael Power Place be prohibited; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Hall, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 6, Report No. 3)

**4.8 Boulevard Parking Agreement: Del's Pastry Limited, 344-346 Bering Avenue;
91-93 Judge Road - (Ward 5 - Etobicoke-Lakeshore).**

The West Community Council had before it a report (March 12, 2001) from the Director, Transportation Services, District 2, respecting a request from Mr. Benno Mattes, Del's Pastry Limited, for boulevard parking in the boulevard areas of Bering Avenue and Judge Road abutting both 344-346 Bering Avenue and 91-93 Judge Road; and recommending that:

- (1) the West Community Council authorize the location of 22 vehicle parking stalls within the boulevard areas of Bering Avenue and Judge Road;
- (2) the applicant sign a boulevard parking agreement that is, at his cost, registered on-title to the satisfaction of the City Solicitor; and
- (3) the appropriate City officials be requested to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 7, Report No. 3)

4.9 Designation of a Taxi Stand on Lake Shore Boulevard West Adjacent to the Toronto Transit Commission Long Branch Loop (Ward 6 – Etobicoke-Lakeshore).

The West Community Council had before it a report (March 9, 2001) from the Director, Transportation Services, District 2, responding to concerns of Metro Toronto Condominium Corporation No. 736, forwarded by the Toronto Transit Commission (TTC), regarding insufficient signing indicating a taxi waiting area at the TTC Long Branch loop located on Lake Shore Boulevard West and taxis blocking the sidewalk; and recommending that:

- (1) a “Taxi Stand” be designated on the north side of Lake Shore Boulevard West, north of the sidewalk, adjacent to the TTC Long Branch loop; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Holyday, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 8, Report No. 3)

4.10 Installation of Community Identification Monuments in The Humber Valley Village Area (Ward 4 - Etobicoke Centre).

The West Community had before it a report (March 14, 2001) from the Director, Transportation Services, District 2, recommending that:

- (1) the proposal from the Humber Valley Village Residents’ Association to install two community identification monuments in the Humber Valley Village area be approved subject to the following conditions:
 - (a) the Humber Valley Village Residents’ Association, at their cost, manufacture and install two community identification monuments at locations acceptable to the Director, Transportation Services Division, District 2;
 - (b) the community monuments clearly identify “Humber Valley Village”; and
 - (c) the Humber Valley Village Residents’ Association enter into encroachment agreements for the community identification monument(s) installed within municipal road allowance;

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- (2) pursuant to Council's February 2000 directive, the funds remaining from the insurance claim settlement resulting from the demolition of a community monument at the north-east corner of Islington Avenue and Hilldowntree Road be made available to the Humber Valley Village Residents' Association for the sole purpose of manufacturing and installing two community identification monuments in the Humber Valley Village area; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

On motion by Councillor Lindsay Luby, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 9, Report No. 3)

4.11 Ministry of Transportation, Ontario, Rehabilitation and Operational Improvements Proposed for Highway No. 401 Between Renforth Drive to Highway No. 427 and Temporary Closure(s) of Highway No. 401/Carlingview Drive Ramps (Ward 2 - Etobicoke North/ Ward 4 - Etobicoke Centre).

The West Community Council had before it a report (March 15, 2001) from the Director, Transportation Services, District 2, respecting the Ministry of Transportation, Ontario, plans for the rehabilitation and operational improvements proposed for Highway No. 401, between Renforth Road and Highway No. 427, and the necessary temporary closure(s) of the Carlingview Drive ramps to Highway No. 401; and recommending that:

- (1) the Ministry of Transportation, Ontario, be requested to consult with City staff on its proposed communication plan to advertise the proposed temporary closure(s) of the Carlingview Drive ramps to Highway No. 401 to the immediate business community and the public in general; and
- (2) the Ministry of Transportation, Ontario, be requested to consult with City staff on its proposed advance signing plan.

On motion by Councillor Holyday, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 10, Report No. 3)

4.12 Applications to Inter Cremated Remains at Islington Pioneer Cemetery and Status of Former City of Etobicoke Cemetery Board (Ward 5 – Etobicoke-Lakeshore).

The West Community Council had before it a report (March 19, 2001) from the City Solicitor providing information on two separate requests from persons who wish to inter their mothers' ashes in Islington Pioneer Cemetery and erect a memorial stone or plaque and on the status of the former City of Etobicoke Cemetery Board; advising that the Islington Pioneer Cemetery is presently closed to interments and was managed in the past by the former City of Etobicoke's Cemetery Board; outlining the legal concerns and requirements that apply to processing the requests; and recommending that:

- (1) the status of the former City of Etobicoke's Cemetery Board be clarified by the adoption of one of the following recommendations:
 - (a) that former City of Etobicoke Municipal Code, Chapter 18, Cemetery Board, be repealed; or
 - (b) that City Council appoint three persons to the Cemetery Board so that the Cemetery Board can process these requests under its delegated powers and responsibilities for City "owned" cemeteries in the geographic area of the former City of Etobicoke;
- (2) one of the following recommendations be adopted by Council (or the continued Cemetery Board) with respect to each of the requests to inter ashes and put a memorial stone or plaque in Islington Pioneer Cemetery:
 - (a) that the request be refused;
 - (b) that permission be granted for the scattering of the ashes on the cemetery lands without any memorial stone or plaque; or
 - (c) that the request to inter ashes and put a memorial stone or plaque in Islington Pioneer Cemetery be granted subject to at least the following conditions:
 - (i) that the requestor is responsible for any costs with respect to the permission granted, including the payment of any incidental costs associated with the application to reactivate the cemetery (for example, the notification of the passage of a cemetery by-law); and
 - (ii) that the Registrar, Cemeteries Regulation, of the Ministry of Consumer and Commercial Relations approves the City's request to reactivate the cemetery;

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- (3) before any final permission is given to inter ashes in Islington Pioneer Cemetery that:
 - (a) the Commissioner of Economic Development, Culture and Tourism report on the requests including the physical capacity of the cemetery (for example, the minimum lot requirements) and the impact of any additional memorial stone or plaque in the cemetery in terms of the cemetery's status as a heritage and cultural resource and in the context of other similar City owned cemeteries; and
 - (b) the Toronto Preservation Board and the West Local Architectural Conservation Advisory Committee Panel be requested to provide comments on these requests; and
- (4) if a request for interment of ashes is approved by Council (or the Cemetery Board), that the City Solicitor report on the proposed cemetery by-law in consultation with the Commissioner of Economic Development, Culture and Tourism and that the appropriate City officials be authorized and directed to take the necessary action to give effect to this permission including the processing of an application to reactivate the cemetery.

The West Community Council also had before it the following communications:

- (i) (March 15, 2001) from Dr. Michael R. Wertheimer, Montreal, requesting, for the reasons outlined in the communication, that permission to have the ashes of his late mother, Mrs. Margrit Werth, interred at the Islington Pioneer Cemetery, preferably near the burial site of Mr. D. D. Gunn, Q.C. and her place of interment permanently marked by a small stone slab; and advising that should interment of the ashes not be possible, the family would consider as an alternative having the ashes scattered at the site, under the condition that placement of the memorial stone slab be allowed;
- (ii) (April 17, 2000) from Mr. David M. Dunlap, Etobicoke, requesting permission to have the ashes of his late mother, the great-granddaughter of Mr. Thomas Montgomery, interred at the Islington Pioneer Cemetery in the Montgomery family plot next to those of her brother, Mr. Donald Douglas Gunn; and
- (iii) (March 27, 2001) from Mr. David M. Dunlap, Etobicoke, forwarding a copy of previous correspondence dated April 17, 2000 and August 23, 2000, respecting the foregoing matter; advising that he is unable to appear before Community Council because of an out-of-town business meeting; that although the cemetery was closed in September 1955, an exception was made for his uncle, Donald Gunn who passed away in April 1985; and that the family is prepared to waive an implied rights for future similar consideration should his mother's wish be granted.

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The following persons appeared before the West Community Council in connection with the foregoing matter:

- Dr. Michael R. Wertheimer, Montreal; and
- Mr. David Hanna, Chair, Local Architectural Conservation Advisory Committee (LACAC) Panel; and filed a submission with respect thereto.

A. Councillor Milczyn moved that the West Community Council:

- (1) recommend to City Council the adoption of the Recommendations embodied in the aforementioned report from the City Solicitor, as amended, viz.:
 - (a) the former City of Etobicoke Municipal Code, Chapter 18, Cemetery Board, be repealed;
 - (b) the requests to inter ashes and put a memorial stone or plaque in Islington Pioneer Cemetery be granted subject to at least the following conditions:
 - (i) the requestors are responsible for any costs with respect to the permission granted, including the payment of any incidental costs associated with the application to reactive the cemetery (for example, the notification of the passage of a cemetery by-law);
 - (ii) the Registrar, Cemeteries Regulation, of the Ministry of Consumer and Commercial Relations approves the City's request to reactivate the cemetery; and
 - (iii) the requestors waive any implied rights for future similar consideration;
 - (c) before any final permission is given to inter ashes in Islington Pioneer Cemetery that:
 - (i) the Commissioner of Economic Development, Culture and Tourism, report on the requests including the physical capacity of the cemetery (for example, the minimum lot requirements) and the impact of any additional memorial stone or plaque in the cemetery in terms of the cemetery's status as

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a heritage and cultural resource and in the context of other similar City-owned cemeteries; and

- (ii) the Toronto Preservation Board and the West Local Architectural Conservation Advisory Committee Panel be requested to provide comments on these requests;
 - (d) if a request for interment of ashes is approved by Council, that the City Solicitor report on the proposed cemetery by-law in consultation with the Commissioner of Economic Development, Culture and Tourism;
 - (e) subject to Council approval of the aforementioned requests and all of the conditions being met, the re-activation of the Islington Pioneer Cemetery be on a one time basis only; and
 - (f) that the appropriate City officials be authorized and directed to take the necessary action to give effect to this permission including the processing of an application to reactivate the cemetery, if approved; and **(Carried)**
- (2) request the Commissioner of Economic Development, Culture and Tourism, to submit a report to the West Community Council on the potential designation of the Islington Pioneer Cemetery under the Ontario Heritage Act. **(Carried)**

Councillor Jones appointed Councillor Milczyn Acting Chair and vacated the Chair.

- B. Councillor Jones moved that the West Community Council recommend to Council that if the requests to inter ashes and put a memorial stone or plaque in Islington Pioneer Cemetery is not approved by Council, or if any one of the conditions cannot be met, that permission be granted for the scattering of the ashes on the cemetery lands without any memorial stone or plaque. **(Carried)**

Councillor Jones resumed the Chair.

(Sent to: Dr. Michael R. Wertheimer, Montreal; Mr. David Dunlap, Etobicoke; Dr. David Hanna, West LACAC Panel; City Solicitor; Commissioner, Economic Development, Culture and Tourism; c. Mr. Brian Haley, Solicitor, Legal Division; Ms. Christina Cameron, Solicitor, Legal Division – April 10, 2001)

(Clause No. 11, Report No. 3)

**4.13 Ontario Municipal Board Hearing – 9 Brownlea Avenue
(Ward 2 – Etobicoke North).**

The West Community Council had before it a report (March 12, 2001) from the City Solicitor advising that City Council at its meeting held on October 3, 4 and 5, 2000, directed the City Solicitor and City Planning staff to attend the Ontario Municipal Board Hearing to oppose an appeal of a Committee of Adjustment decision by the owner of 9 Brownlea Avenue; forwarding the February 15, 2001 Decision of the Ontario Municipal Board wherein it confirms that the application was withdrawn and that the appeal was therefore dismissed; and recommending that the report be received for information.

Councillor Jones appointed Councillor Milczyn Acting Chair and vacated the Chair.

On motion by Councillor Jones, the West Community Council received the aforementioned report.

Councillor Jones resumed the Chair.

(Clause No. 25 (b), Report No. 3)

**4.14 Terms of Reference for the Lakeshore Assembly Hall Advisory Committee
(Ward 6 - Etobicoke-Lakeshore).**

The West Community Council had before it a report (March 7, 2001) from the Commissioner, Economic Development, Culture and Tourism, providing Terms of Reference for the Lakeshore Assembly Hall Advisory Committee, including a transition phase to accommodate implementation of the policy; and recommending that:

- (1) Council adopt the revised “Lakeshore Assembly Hall Advisory Committee Terms of Reference” (Attachment No. 1) to govern the Committee’s mandate, composition, terms of office and appointment procedure; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Councillor Jones appointed Councillor Milczyn Acting Chair and vacated the Chair.

On motion by Councillor Jones, the West Community Council recommended to City Council the adoption of the aforementioned report.

Councillor Jones resumed the Chair

(Clause No. 13, Report No. 3)

4.15 Intention to Designate 222 Islington Avenue (Boxer Building) Under Part IV of The Ontario Heritage Act (Ward 6 - Etobicoke-Lakeshore).

The West Community Council had before it a report (March 9, 2001) from the Commissioner, Economic Development, Culture and Tourism advising that the property at 222 Islington Avenue is included on the Inventory of Heritage Properties in the Etobicoke District; that the property, containing one of the earliest surviving industrial buildings in New Toronto, is currently for sale; and recommending that:

- (1) City Council state its intention to designate the property at 222 Islington Avenue (Boxer Building) (Attachments Nos. 1 and 2) under Part IV of the Ontario Heritage Act;
- (2) the Long and Short Statements of Reasons for Designation be included in the designating by-law; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The West Community Council also had before a communication (April 2, 2001) from Ms. Wendy Gamble, President, New Toronto Historical Society, submitting comments in support of the designation of 222 Islington Avenue (Boxer Building) under Part IV of the Ontario Heritage Act.

Mr. David Hanna, Chair, Local Architectural Conservation Advisory Committee (LACAC) Panel appeared before the West Community Council in connection with the foregoing matter; and filed a submission with respect thereto.

- A. Councillor Holyday moved that the West Community Council defer consideration of the foregoing report to provide an opportunity for the Owner to be notified respecting this matter. **(Lost)**

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- B. Councillor Lindsay Luby moved that the West Community Council:
- (1) recommend to City Council the adoption of the aforementioned report; and **(Carried)**
 - (2) direct the appropriate City staff to advise the Owner of the property of Community Council's decision and inform the owner that a written submission may be forwarded to City Council for consideration with this matter, at its meeting scheduled to be held on April 24, 25 and 26, 2001. **(Carried)**

(Sent to: Ms. Joan Kennedy, Blake Cassels Graydon; Ms. Wendy Gamble, President, New Toronto Historical Society; Mr. David Hanna, Chair, West LACAC Panel; Commissioner, Economic Development, Culture and Tourism; c. Mr. John Flynn, NOMA Company; Mr. Brian Haley, Solicitor, Legal Division; Ms. Rita Davies, Managing Director, Culture Division – April 10, 2001)

(Clause No. 14, Report No. 3)

**4.16 Proposed Sale of the One Foot Reserve at the South End of Perry Crescent
(Ward 4 - Etobicoke Centre).**

The West Community Council had before it a report (March 2, 2001) from the Commissioner of Corporate Services advising that City Council, at its meeting on January 30, 31 and February 1, 2001, in adopting Clause No. 15 of Report No. 1 of The West Community Council, amongst other things, declared the One Foot Reserve at the southern extremity of Perry Crescent surplus to municipal requirements and authorized staff to negotiate the sale thereof with the abutting owners; and recommending that:

- (1) the One Foot Reserve, designated as Parts 3 and 4 on Plan 66R-18834, be sold to the abutting owners at a nominal amount of Two dollars (\$2.00) each provided that:
 - (a) the easterly half of the One Foot Reserve be sold to the abutting landowner at 91 Perry Crescent, at a nominal amount of \$2.00, plus GST and one-half of the City's out-of-pocket expenses incurred to complete the transaction, subject to a restrictive covenant to be registered on title on closing prohibiting the use of the One Foot Reserve for any purpose other than as an accessory use to the use and enjoyment of the adjoining lands at 91 Perry Crescent and, for greater certainty, prohibiting the use of the One Foot Reserve for the purposes of a separate building lot, either by itself or together with any adjoining lands; and

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- (b) the westerly half of the Highway be sold to the abutting landowner at 7 Orrell Avenue, at a nominal price of \$2.00, plus GST and one-half of the City's out-of-pocket expenses incurred to complete the transaction, subject to a restrictive covenant to be registered on title on closing prohibiting the use of the One Foot Reserve for any purpose other than as an accessory use to the use and enjoyment of the adjoining lands at 7 Orrell Avenue and, for greater certainty, prohibiting the use of the One Foot Reserve for the purposes of a separate building lot, either by itself or together with any adjoining lands;
- (2) the City Solicitor be authorized to complete the transactions referred to in Recommendation No. (1) on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Holyday, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 15, Report No. 3)

4.17 Construction and Maintenance of Fire Routes.

The West Community Council had before it a communication (March 13, 2001) from the City Clerk recommending that:

- (1) Chapter 134-20 of the Etobicoke Municipal Code be amended by adding the following locations to Schedule 'B', "Lands upon which Fire Routes are to be Constructed and Maintained":
 - (a) 30 Bethridge Road;
 - (b) 650 Dixon Road;
 - (c) 350 Evans Avenue;
 - (d) 1949 Kipling Avenue;
 - (e) 2548 Kipling Avenue; and
 - (f) 3730 Lake Shore Boulevard West; and
- (2) the appropriate by-law be enacted by City Council.

On motion by Councillor Holyday, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 18, Report No. 3)

4.18 Variances to the Etobicoke Sign By-law.

The West Community Council had before it a communication (March 13, 2001) from the City Clerk, Etobicoke Sign Variance Advisory Committee, submitting, for information, the decisions of the Etobicoke Sign Variance Advisory Committee from its meeting held on March 13, 2001, respecting the following applications for variance to the Etobicoke Sign By-law:

- (1) Dean's 1-Hour Photo – 2665 Islington Avenue (Ward 1 – Etobicoke North);
- (2) Payless Fabric Warehouse – 1040 Albion Road (Ward 1 – Etobicoke North);
- (3) Fashion Times Inc. - 1046 Albion Road (Ward 1 – Etobicoke North);
- (4) Le Biftheque Steakhouse – 25 Carlson Court (Ward 1 – Etobicoke North);
- (5) Catelli – 185 The West Mall (Ward 5 – Etobicoke-Lakeshore);
- (6) Third Party Advertising Sign – 210 Rexdale Boulevard (Ward 2 – Etobicoke North); and
- (7) Somerville National Leasing & Rentals Ltd. – 144 Norseman Street (Ward 5 – Etobicoke-Lakeshore).

On motion by Councillor Hall, the West Community Council received the aforementioned report.

(Clause No. 25(c), Report No. 3)

4.19 Request for Exemption of Planning Application Fees Temporary Use By-law Claireville Area (Ward 1 – Etobicoke North).

The West Community Council had before it a communication (March 21, 2001) from the City Clerk forwarding Clause No. 20 contained in Report No. 2 of The West Community Council, headed "Claireville Area – Applications for Temporary Use By-laws (Ward 1 – Etobicoke North)", which was adopted, without amendment, by City Council on March 6, 7 and 8, 2001; and wherein the West Community Council deferred consideration of the request for an exemption of planning application fees embodied in the communication dated February 6, 2001 from Mr. Nicholas Macos, to the meeting of the West Community Council on April 4, 2001.

The West Community Council also had before it the following communications:

- (i) (February 19, 2001) from Mr. Antonio Ciamarra, Etobicoke, requesting, for the reasons outlined in the communication, that the re-zoning application fee with respect to 2115 Codlin Crescent (Albion Road) be waived; and advising that he has paid a fee to appeal "work order notice" of violation for a use which has been in existence for over 20 years.
- (ii) (April 4, 2001) from Mr. Nicholas T. Macos, Heenan Blaikie, requesting that the Community Council amend its previous resolutions as follows:

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- “(a) That the requirement for surveys and professional site plans be relaxed. The applicants will produce the best plans that they can afford to produce which may not meet the standards normally required for a rezoning application but may be sufficient to continue existing uses for three years.
- (b) That the application fee for the collective applications for the above owners be reduced \$1,290.00 or \$322.50 per application.
- (c) That the time for compliance with the property standards orders be extended to May 31, 2001, as permitted by order of the Property Standards Committee.
- (d) That staff be permitted to accept a temporary use application to permit the Truck Driving School until December 31, 2001. The operator has acquired a site for the purpose and expects to have it ready by such time.”

The following persons appeared before the West Community Council in connection with the foregoing matter:

- Mr. Nicholas T. Macos, Heenan Blaikie; and
- Mr. Antonio Ciamarra, Etobicoke.

On motion by Councillor Hall the West Community Council:

- (1) recommended to City Council that the request for an exemption from payment of planning application fees, or for a reduction in fees per application, embodied in the communications dated February 6, 2001, and April 4, 2001, from Mr. Nicholas T. Macos, Heenan Blaikie, be refused; and
- (2) referred the communication dated April 4, 2001, from Mr. Macos to Councillor Suzan Hall, Ward 1 - Etobicoke North, for the preparation of a Notice of Motion to City Council respecting the recommendations contained therein, with the exception of part 2, which refers to an exemption/reduction in fees.

(Sent to: Mr. Nicholas T. Macos, Heenan Blaikie; Mr. Anotonio Ciamarra, Etobicoke; Councillor Suzan Hall, Ward 1 – Etobicoke North; Director, Community Planning, West District; c. Mr. Brian Haley, Solicitor, Legal Division; Mr. Dave Roberts, District Manager, Municipal Licensing and Standards, West District; Mr. David Oikawa, Manager, Community Planning, West District – April 10, 2001)

(Clause No. 21, Report No. 3)

**4.20 Committee of Adjustment Appeal: 32 Richview Road
(Ward 4 –Etobicoke Centre).**

The West Community Council had before it a report (March 20, 2001) from the Director, Community Planning, West District, respecting City Council's appeal to the Ontario Municipal Board of Committee of Adjustment Decision A48/01ET, 32 Richview Road; advising that due to scheduling conflicts between the Committee of Adjustment decision and the last date of appeal of the Committee's decision (March 21, 2001), a Notice of Motion was introduced at City Council on March 6, 7 and 8, 2001, requesting that Council appeal the aforementioned decision; and recommending that staff meet with the applicant to attempt to resolve the outstanding issues prior to an Ontario Municipal Board Hearing.

The West Community Council also had before it a communication (March 19, 2001) from the City Clerk respecting a Motion by Councillor Gloria Lindsay Luby which was adopted by City Council at its meeting held on March 6, 7 and 8, 2001, regarding Committee of Adjustment Decision A48/01; Richview Gate Development Corporation, 32 Richview Road; and containing the following Operative Paragraph:

“NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed to file an appeal in this matter and that the matter be forwarded to the West Community Council for consideration”.

On motion by Councillor Lindsay Luby, the West Community Council recommended to City Council the adoption of the report subject to striking out the Recommendation embodied therein and inserting the following new Recommendations in lieu thereof:

“That the appropriate staff be directed to:

- (1) enter into discussions with the applicant with a view to addressing the concerns of the Director, Transportation Services, District 2, with respect to parking standards and to resolving the issues of open space and landscaping to the satisfaction of the Director, Community Planning, West District; and
- (2) attend the Ontario Municipal Board to oppose the application on the basis of inadequate parking, open space and landscaping if discussions with the applicant are not satisfactory.”

(Clause No. 22, Report No. 3)

**4.21 Application for Site Plan Approval – P.F.P.D. Developments
91 Baywood Road (Ward 1 – Etobicoke North).**

The West Community Council had before it a report (March 15, 2001) from the Director, Community Planning, West District, respecting an application by P.F.P.D. Developments for site plan approval to permit a concrete batching facility on vacant lands at 91 Baywood Road; advising that during the review process, the concrete batching plant machinery was assembled on the site and the operation began without the issuance of the required site plan approval and building permit; advising that Councillor Suzan Hall requested staff of Community Planning, West District, to report to Council on this application; and recommending that the plans and drawings listed in Appendix A of the report be approved, subject to the conditions outlined in Appendix B.

On motion by Councillor Hall the West Community Council recommended to City Council that:

- (1) the aforementioned report be adopted;
- (2) the Manager, West District, Municipal Licensing and Standards, be requested to ensure the enforcement of any applicable by-laws with respect to noise and dust; and
- (3) the appropriate staff in the Legal Division, Community Planning, West District, and Municipal Licensing and Standards, be requested to enforce compliance with the site plan agreement, once it is entered into.

(Clause No. 23, Report No. 3)

4.22 Application to Remove Part-Lot Control: Salena Holdings Inc., Triple Crown Avenue and Quinella Drive; TA PLC 20010001 (Ward 2 - Etobicoke North).

The West Community Council had before it a report (March 15, 2001) from the Director, Community Planning, West District, respecting an application by Salena Holdings Inc. for the removal of part-lot control, Triple Crown Avenue and Quinella Drive, Lots 140, 143, 145, 146, 149, 150, 151, 152, 155, 156, 159, 160, 162, 163, 164, 165, 168, 169, 170, 173, 174, 177, 178, 183, 184, 188, 189, 190, 191, 194, 195, 196, 198, 199, 200, 201, 205, 206, 209, 210, 213, 214, 218, 219, 220, 221, 224, 225, and 226 (Plan 66M-2338); and recommending that the application be approved and that a by-law be prepared for Council's consideration.

On motion by Councillor Hall, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 24, Report No. 3)

4.23 New Toronto Secondary Plan Area - Hiring of a Mediator and Cost-sharing Agreement.

The West Community Council had before it a report (March 19, 2001) from the Director, Community Planning, West District, responding to a request by the West Community Council on February 14, 2001, for a report respecting the hiring of a mediator to assist staff in bringing the affected parties to a consensus on a preferred land use for the New Toronto Secondary Plan area and identifying a cost-sharing arrangement with the City of Toronto, the South Etobicoke Industrial Employers Association, The Urban Renaissance Group and other affected parties to fund the cost of the mediator; and recommending that this report be received for information.

Mr. David Hanna, Chair, Local Architectural Conservation Advisory Committee (LACAC) Panel appeared before the West Community Council in connection with the foregoing matter.

On motion by Councillor Milczyn, the West Community Council received the aforementioned report; and again requested the appropriate staff of Community Planning, West District, to inform and consult with the West Local Architectural Advisory Committee (LACAC) Panel with respect to any heritage issues within the New Toronto Secondary Plan area.

(Sent to: Mr. L. F. Longo, Aird & Berlis; Mr. David Hanna, Chair, West LACAC Panel; Mr. Alan Liebel, Goodmans; Mr. Tony Varone, The Urban Renaissance Group; Director, Community Planning, West District; c. Mr. Perry Vagnini, Senior Planner, Community Planning, West District – April 10, 2001)

(Clause No. 25 (d), Report No. 3)

4.24 Preliminary Report - Application to Amend the Etobicoke Official Plan and Zoning Code - Hazel L. McMillan, 271 Albion Road; File No. TA CMB 20010002 (Ward 2 - Etobicoke North).

The West Community Council had before it a report (February 23, 2001) from the Director, Community Planning, West District, providing preliminary information on an application by Hazel L. McMillan, to amend the Etobicoke Official Plan and Zoning Code to permit the construction of 16 condominium townhouse units at 271 Albion Road, located on the west side of Albion Road, north of the Humber River and opposite the Humber Valley Golf Club; and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;

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- (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.

Councillor Jones appointed Councillor Milczyn Acting Chair and vacated the Chair.

On motion by Councillor Jones, the West Community Council requested the Director, Community Planning, West District:

- (1) together with the Ward Councillor, to schedule a community consultation meeting, as outlined in the aforementioned report, and provide notice thereof to landowners and residents within 120 metres of the site;
- (2) to provide notice of the Public Meeting under the Planning Act according to the Regulations under the Planning Act; and
- (3) to obtain comments from the Toronto and Region Conservation Authority with respect to the application. **(Carried)**

Councillor Jones resumed the Chair.

(Sent to: Mr. Tony Di Poce, Pascale, DiPoce; Director, Community Planning, West District; c. Mr. Ed Murphy, Senior Planner, Community Planning, West District – April 10, 2001)

(Clause No. 25 (e), Report No. 3)

**4.25 Preliminary Report - Application to Amend the Etobicoke Official Plan
Etobicoke Garden Co-operative Limited, 11 Neilson Drive
Files Nos. TA OPA 20010001 and TA CDC 20010001
(Ward 3 - Etobicoke Centre).**

The West Community Council had before it a report (March 13, 2001) from the Director, Community Planning, West District, providing preliminary information on an application by the Etobicoke Garden Co-operative Limited, to amend the Etobicoke Official Plan to permit the conversion of an equity co-operative to a condominium at 11 Neilson Drive, located at the north-east corner of Dundas Street and Neilson Drive; and recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;

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- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the Planning Act be given according to the Regulations under the Planning Act.

On motion by Councillor Lindsay Luby, the West Community Council requested the Director, Community Planning, West District:

- (1) together with the Ward Councillor, to schedule a community consultation meeting, as outlined in the aforementioned report, and provide notice thereof to landowners and residents within 120 metres of the site; and
- (2) to provide notice of the Public Meeting under the Planning Act according to the Regulations under the Planning Act.

(Sent to: J. Plutino, Mainline Planning Services Inc.; Director, Community Planning, West District; c. Ms. Wendy Johncox, Senior Planner, Community Planning, West District – April 10, 2001)

(Clause No. 25 (f), Report No. 3)

4.26 Preliminary Report - Application to Amend the Etobicoke Official Plan and Zoning Code; Reno-Depot Inc., 1608 The Queensway File No. TA CMB 20010001 (Ward 5 – Etobicoke-Lakeshore).

The West Community Council had before it a report (March 19, 2001) from the Director, Community Planning, West District, providing preliminary information on an application by Reno-Depo Inc. to amend the Etobicoke Official Plan and Zoning Code to permit the development of two big box retail stores, a gas bar and car wash facility and four smaller retail buildings at 1608 The Queensway, located on the north side of The Queensway and east of The East Mall; and recommending that:

- (1) the applicant be requested to modify the current proposal to address staff concerns expressed in the report, and submit a revised application prior to scheduling a community consultation process;
- (2) once the amended proposal has been received by staff, a community consultation meeting be scheduled with the Ward Councillor;
- (3) notice of the community consultation meeting be given to landowners and residents within 120 metres of the subject site; and

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- (4) staff be directed to prepare a final recommendation report for the Public Meeting under the Planning Act according to the Regulations under the Planning Act.

The West Community Council also had before it a communication (April 3, 2001) from Councillor Peter Milczyn, Ward 5 – Etobicoke-Lakeshore, recommending that:

- (1) the recommendations contained within the staff report not be approved;
- (2) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (3) notice of the community consultation meeting be given to landowners and residents within 120 metres of the site;
- (4) notice of the Public Meeting under the Planning Act be given according to the regulations under the Planning Act;
- (5) the Public Meeting be scheduled for the next West Community Council meeting;
- (6) that the staff report differentiate between Land Use and Site Plan issues; and
- (7) staff be directed to continue to discuss modifications to the applicant's site.

Mr. Barry A. Horosko, Bratty and Partners, appeared before the West Community Council in connection with the foregoing matter; and filed a submission with respect thereto.

A. Moved by Councillor Milczyn that the West Community Council:

- (1) receive the aforementioned report from the Director, Community Planning, West District; **(Carried)**
- (2) request the Director, Community Planning, West District:
 - (a) together with the Ward Councillor, to schedule a community consultation meeting and provide notice thereof to landowners and residents within 120 metres of the site;
 - (b) to schedule the Public Meeting under the Planning Act for the next meeting of the West Community Council, and provide notice thereof according to the Regulations under the Planning Act;
 - (c) to differentiate between Land Use and Site Plan issues; and

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- (d) continue to discuss modifications to the applicant's site. **(Motion A. Carried, as amended, by Motion C.)**

- B. Councillor Jones moved that part (2)(b) of Motion A. by Councillor Milczyn be amended by striking out the words "for the next meeting of the West Community Council" and inserting in lieu thereof the words, "as soon as possible." **(Lost)**

- C. Councillor Hall moved that part (2)(b) of Motion A. by Councillor Milczyn be amended by striking out the words "for the next meeting of the West Community Council" and inserting in lieu thereof the words, "for the meeting of the West Community Council scheduled to be held on June 13, 2001". **(Carried)**

- D. Councillor Holyday moved that the West Community Council recommend to City Council the adoption of the aforementioned report. **(Having regard for the action taken in Motion A., this Motion was not put to a vote.)**

The decision of the West Community Council is therefore as follows:

"The West Community Council:

- (1) received the aforementioned report from the Director, Community Planning, West District;**

- (2) requested the Director, Community Planning, West District:**
 - (a) together with the Ward Councillor, to schedule a community consultation meeting and provide notice thereof to landowners and residents within 120 metres of the site;**

 - (b) to schedule the Public Meeting under the Planning Act for the meeting of the West Community Council scheduled to be held on June 13, 2001, and provide notice thereof according to the Regulations under the Planning Act;**

 - (c) to differentiate between Land Use and Site Plan issues; and**

 - (d) continue to discuss modifications to the applicant's site."**

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(Sent to: Mr. Barry A. Horosko, Bratty and Partners; Councillor Peter Milczyn, Ward 5 – Etobicoke-Lakeshore; Director, Community Planning, West District; c. Mr. V. Bill Kiru, Senior Planner, Community Planning, West District – April 10, 2001)

(Clause No. 25 (g), Report No. 3)

4.27 Preliminary Report – Applications to Amend the Etobicoke Official Plan and Zoning Code; Imperial Oil Limited, 1558 Kipling Avenue File No. TA CMB 20010004 (Ward 4 – Etobicoke Centre).

The West Community Council had before it a report (March 20, 2001) from the Director, Community Planning, West District, providing preliminary information on applications by Imperial Oil Limited to amend the Etobicoke Official Plan and Zoning Code to permit a three-storey, 2 333 square metre, 14-unit townhouse development on a vacant property, municipally known as 1558 Kipling Avenue, located at the north-west corner of Kipling Avenue and Clement Road; and recommending that:

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

On motion by Councillor Holyday, the West Community Council requested the Director, Community Planning, West District:

- (1) together with the Ward Councillor, to schedule a community consultation meeting, as outlined in the aforementioned report, and provide notice thereof to landowners and residents within 120 metres of the site; and
- (2) to provide notice of the Public Meeting under the Planning Act according to the Regulations under the Planning Act.

(Sent to: Mr. David Dorsch, Hughes, Dorsch, Garland and Coles, LLP; Director, Community Planning, West District; c. Mr. Gary Dysart, Principal Planner, Community Planning, West District – April 10, 2001)

(Clause No. 25 (h), Report No. 3)

**4.28 Ownership/Maintenance of Tree: 31 Burrows Avenue
(Ward 3 – Etobicoke Centre).**

The West Community Council had before it a communication (March 19, 2001) from Councillor Doug Holyday (Ward 3 Etobicoke – Centre) forwarding, on behalf of Mr. Jack Burns, Etobicoke, background information respecting a determination by the Forestry Division, West District, that, in accordance with City of Toronto Tree By-law No. 3880-2000, a tree planted in front of his residence at 31 Burrows Avenue is now considered a privately owned tree; and advising that Mr. Burns will not claim ownership of the tree and that he wants the City to own and maintain the subject tree.

Mr. Jack Burns, Etobicoke, appeared before the West Community Council in connection with the foregoing matter.

On motion by Councillor Holyday, the West Community Council referred this matter to the City Forester with a request that a protocol for addressing the type of situation raised in the correspondence, and by Mr. Burns in his deputation, be discussed during the development of the Division's operating guidelines.

(Sent to: Mr. Jack Burns, Etobicoke; Councillor Doug Holyday; c. Mr. Richard Ubbens, City Forester, Forestry Division; Mr. Dean Hart, Manager, Technical Services & Urban Forestry – West District – April 10, 2001)

(Clause No. 25 (j), Report No. 3)

**4.29 Application by the Greater Toronto Airports Authority to Amend
the Official Plans of the Former Cities of Etobicoke and North York
(Ward 2 – Etobicoke North; Ward 3 – Etobicoke Centre; Ward 7 – York West).**

The West Community Council had before it a communication (March 27, 2001) from the City Clerk, Planning and Transportation Committee, respecting an application by the Greater Toronto Airports Authority to amend the Official Plans of the former Cities of Etobicoke and North York; and advising that the Planning and Transportation Committee at its meeting held on March 26, 2001:

- (1) directed that the reports dated March 2, 2001 and March 22, 2001, from the Commissioner of Urban Development Services, together with all related material, be forwarded to the North and West Community Councils with a request that they schedule community consultation at their next meetings on April 4, 2001, and forward their comments thereon directly to City Council for its meeting on April 24, 2001;

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- (2) recommended to City Council for its next meeting on April 24, 2001, that the report dated March 2, 2001, from the Commissioner of Urban Development Services be adopted, subject to:
- (a) in view of the representation made by the Greater Toronto Airports Authority and its request that the NEF/NEP noise contours be established as a fixed boundary amendment to the City of Toronto Official Plan, any NEF/NEP noise contours and corresponding flight paths not be adjusted without an amendment to the Official Plan boundaries, and that statutory community consultation pursuant to the Planning Act be provided; and
 - (b) the adoption of the further report (March 22, 2001) from the Commissioner of Urban Development Services subject to amending Attachment No. 2 of this report titled "Revised Staff Recommendations for Proposed Official Plan Amendments", by inserting in Point 1., headed "Section 2.4 TRANSPORTATION", the word "public" prior to the word "transit", so as to read:

"It is the policy of Council:

"95. to encourage initiatives by the Greater Toronto Airports Authority to improve the efficiency and capacity of the Lester B. Pearson International Airport and to encourage initiatives by the federal and provincial governments to undertake and develop public transit facilities from downtown Toronto to Lester B. Pearson International Airport."; and

- (3) requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to City Council for its meeting on April 24, 2001, on:
- (a) the financial impact of sound modifications with respect to construction or reconstruction of school buildings; and
 - (b) the potential to further reduce the impact of the contour lines on the Markland Woods community in the former City of Etobicoke.

The West Community Council also had before it the following communications:

- (i) (April 3, 2001) from Mark and Chris Creedon, Etobicoke, submitting comments in opposition to the proposed amendment for reasons including lower property values and deterioration of quality of life and health; and requesting that the proposal be rejected;
- (ii) (April 3, 2001) from Mr. Ross Vaughan, Etobicoke, submitting comments in opposition to the proposed GTAA Operating Area;

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- (iii) (April 4, 2001) from Mr. Brian M. Dourley, Miller Thomson LLP, submitting comments in opposition to the proposal on behalf of the Toronto Catholic District School Board;
- (iv) (April 4, 2001) from Dr. Peter Yannopoulos, Etobicoke, submitting comments in opposition to the proposal and requesting that it be rejected;
- (v) (April 3, 2001) from Mr. Andrew Gowdy, Manager, Planning Section, Facility Services, Toronto District School Board, regarding the ramifications of the application on school sites in the proposed GTAA Operating Area; and
- (vi) (Undated) from Ms. Sylvia Giovanella, President, EFFRA, submitting community concerns respecting the proposed GTAA Operating Area; correspondence in this regard; and proposed amendments to the staff recommendations.

The following persons appeared before the West Community Council in connection with the foregoing matter:

- Mr. Steve Shaw, Vice President, Corporate Affairs and Communications, The Greater Toronto Airports Authority;
- Ms. Sylvia Giovanella, President, Etobicoke Federation of Ratepayers' and Residents' Associations;
- Ms. Nancy Mueller, Community of Rathburn-Grove Ratepayers; and filed a submission with respect thereto;
- Mr. Ross Vaughan, Etobicoke;
- Mr. Richard Boehnke, Etobicoke;
- Mr. Ed Kurak, Etobicoke; and filed a submission with respect thereto;
- Mr. Tom Napier, Etobicoke; and filed a submission with respect thereto;
- Mr. Patrick Clifford, Etobicoke;
- Mr. John Trembath, West Humber Homeowners Association;
- Ms. Rose Kurak, on behalf of Dr. Donald Beggs, Etobicoke; and filed a submission with respect thereto;
- Ms. Monique Simandl, Markland Homes Association;
- Ms. Anna Fabry, Etobicoke;
- Mr. J. Eversley; Etobicoke; and
- Mr. Robert Gullins, Etobicoke.

- A. Councillor Holyday moved that the West Community Council concur in the Recommendations embodied in the reports dated March 2, 2001 and March 22, 2001, from the Commissioner of Urban Development Services, as amended by the Planning and Transportation Committee (**Carried, as amended, by Motions B. and C.**)

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- B. Councillor Lindsay Luby moved that the foregoing Motion A. by Councillor Holyday be amended by deleting part 2. (3.1.2, 122.1) from Attachment No. 2, headed “Revised Staff Recommendations for Proposed Official Plan Amendments”, contained in the report dated March 22, 2001. **(Carried)**
- C. Councillor Hall moved that the foregoing Motion A. by Councillor Holyday be amended to provide that the Commissioner of Urban Development Services, in consultation with the City Solicitor, be requested to also include in the report requested by the Planning and Transportation Committee for submission directly to Council, information on the potential to further reduce the impact of the contour lines on all affected communities in the former City of Etobicoke; and **(Carried)**
- D. Councillor Milczyn moved that the West Community Council recommend to City Council that:
- (a) policies be added to the Official Plan that would require an appropriate periodic update of the federal NEF/NEP contours and a concurrent periodic review of Official Plan policies related to the Airport Operating Area (AOA), such review to include the GTAA’s operations compliance with the boundaries of the AOA; and **(Carried)**
 - (b) the Ontario Municipal Board be requested to ask Transport Canada to:
 - (i) review the accuracy of the new curves produced by the GTAA, especially for areas which never lied in the NEP/NEP curve before; and **(Carried)**
 - (ii) determine if the reason for adding new areas to the NEF/NEP 30 curve is a result of the GTAA failing to adopt appropriate Noise Management Policies. **(Carried)**

The decision of the West Community Council is therefore as follows:

“The West Community Council reports having:

- (1) **concurred in the Recommendations embodied in the reports dated March 2, 2001 and March 22, 2001, from the Commissioner of Urban Development Services, as amended by the Planning and Transportation Committee, and subject to amending Attachment No. 2, headed “Revised Staff Recommendations for Proposed Official Plan**

Amendments” by deleting part 2. (3.1.2, 122.1), contained in the report dated March 22, 2001;

- (2) requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, also to include in the report requested by the Planning and Transportation Committee for submission directly to Council, information on the potential to further reduce the impact of the contour lines on all affected communities in the former City of Etobicoke; and
- (3) recommended to City Council that:
 - (a) policies be added to the Official Plan that would require an appropriate periodic update of the federal NEF/NEP contours and a concurrent periodic review of Official Plan policies related to the Airport Operating Area (AOA), such review to include the GTAA’s operations compliance with the boundaries of the AOA; and
 - (b) the Ontario Municipal Board be requested to ask Transport Canada to:
 - (i) review the accuracy of the new curves produced by the GTAA, especially for areas which never lied in the NEP/NEP curve before; and
 - (ii) determine if the reason for adding new areas to the NEF/NEP 30 curve is a result of the GTAA failing to adopt appropriate Noise Management Policies.”

(Sent to: City Council; City Solicitor; Commissioner of Urban Development Services; c. Other Interested Parties; Director, Community Planning, West District; Mr. David Oikawa, Manager, Community Planning, West District; Administrator, Planning and Transportation Committee – April 10, 2001)

(Clause No. 25 (a), Report No. 3)

**4.30 Court Decision: Application for Building Permit and Site Plan Approval
76 North Drive (Ward 4 – Etobicoke Centre).**

The West Community Council had before it a confidential report (February 7, 2001) from the City Solicitor outlining the Court Decision on a litigation application with respect to 76 North Drive, having regard that the subject matter involves litigation and the receipt of advice that is subject to solicitor-client privilege.

On motion by Councillor Lindsay Luby, the West Community Council recommended to City Council the adoption of Recommendation No. (2) embodied in the aforementioned confidential report. having regard that the subject matter involves litigation and the receipt of advice that is subject to solicitor-client privilege.

(Clause No. 12, Report No. 3)

4.31 Declaration of Surplus Lands and Proposed Closure and Sale of Portions of Beaverdale Road and Brussels Street to Zanini Developments Inc. (Ward 5 – Etobicoke-Lakeshore).

The West Community Council had before it a report (March 13, 2001) from the Commissioner of Corporate Services and the Director, Transportation Services, District 2, respecting a request from Zanini Developments Inc. to purchase the subject Highways for incorporation into Zanini's residential townhouse development; and recommending that:

- (1) subject to compliance with the requirements of the Municipal Act, and upon compliance by Zanini Developments Inc. ("Zanini") with the following terms and conditions, the portions of Beaverdale Road and Brussels Street illustrated as Parts 1 and 2 on Sketch No. PMC-2000-047 (the "Highways") (Attachment No. 1) be stopped up and closed as public highways:
 - (a) Zanini shall reconstruct the portions of Beaverdale Road and Brussels Street road allowances abutting the Highways, to the satisfaction of and in accordance with the specifications and standards of the Commissioner of Works and Emergency Services.
 - (b) Zanini, together with such other persons as the City Solicitor may require, shall indemnify the City against all loss, cost, damage, or action resulting from the closure, conveyance and reconstruction of the Beaverdale Road and Brussels Street road allowances.
 - (c) Zanini shall agree to pay the City compensation for the Highways, based on a value of \$178.00 per square metre for 96.0 square metres of the Highways and \$355.00 per square metre for remaining portion of the Highways, being approximately 227.97 square metres, with the final amount of the compensation to be determined following the preparation of a survey.
 - (d) Zanini shall agree to accept the conveyance of the Highways subject to the reservation by the City of an easement for watermain and storm overflow purposes, on the terms and conditions satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor.

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- (e) Zanini shall agree to pay the costs of relocating or adjusting any municipal services or public/private utilities required as a result of the closure and conveyance of the Highways. The extent of work that is required and the exact cost thereof will be determined by both the Commissioner of Works and Emergency Services and the relevant public/private utilities.
 - (f) Zanini shall obtain and deposit in the appropriate Land Registry Office, at its sole cost and expense, a reference plan of survey, integrated with the Ontario Co-ordinate System, satisfactory to the City Solicitor, delineating the Highways thereon, by separate parts.
 - (g) Zanini shall agree to pay the cost of registering the authorizing by-law, and any other documents necessary to effect the closing and conveyance of the Highways.
 - (h) Zanini shall pay all out-of-pocket expenses that will be incurred by the City resulting from the closing and conveyance (estimated to be at least \$5,000.00), and shall agree that any such money expended by the City will not be refunded in the event that the transaction is not completed.
 - (i) Zanini shall obtain written consent to the proposed closing and conveyance of the Highways from all owners of land abutting the Highways, waiving their rights to purchase any portion of the Highways, together with a waiver from such owners of all claims against the City for any liability and injurious affection that may arise as a result of this proposal, in a form satisfactory to the City Solicitor.
 - (j) Zanini shall comply with all other terms and conditions related to this proposal as the City Solicitor may deem advisable to protect the City's interests.
 - (k) Zanini shall satisfy all of the foregoing conditions at no cost to the City.
- (2) the Highways be declared surplus to the City's requirements and notice of the proposed sale be given to the public in accordance with the requirements of Chapter 213 of the City of Toronto Municipal Code;
 - (3) notice be given to the public of the proposed by-law to stop up, close and sell the Highways, in accordance with the requirements of the Municipal Act;
 - (4) the West Community Council hold a public hearing concerning the proposed by-law if any person who claims that the person's land will be prejudicially affected by the proposed by-law applies to be heard, in accordance with the requirements of the Municipal Act;

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- (5) the sale price for the Highways be set at \$178.00 per square metre for 96.0 square metres of the Highways and \$355.00 per square metre for the remaining portion of the Highways, being approximately 227.97 square metres;
- (6) following the stopping up and closing of the Highways, upon compliance by Zanini with the terms and conditions set out in Recommendation No. (1) hereof and the payment by Zanini of the sale price set out in Recommendation No. (5) hereof, the Highway be conveyed to Zanini, subject to the reservation by the City of an easement for watermain and storm overflow purposes; and
- (7) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that may be required.

Ms. Irene Catsibris, Zanini Developments Inc., appeared before the West Community Council in connection with the foregoing matter.

Councillor Jones appointed Councillor Milczyn Acting Chair and vacated the Chair.

On motion by Councillor Jones, the West Community Council recommended to City Council the adoption of the aforementioned report, subject to adding thereto the following new Recommendation No. (7):

“(7) Zanini Developments Inc. be authorized as the City's agent to make application for the appropriate re-zoning or minor variances to the Committee of Adjustment with respect to the stopped up portions of the road allowances; and”;

and renumbering the remaining Recommendation accordingly.

Councillor Jones resumed the Chair.

(Clause No. 16, Report No. 3)

4.32 Land Exchange – Conveyance of a Portion of Alcide Street and Portions of Codlin Crescent and Steeles Avenue West to Signet Development Corporation (Ward 1 – Etobicoke North).

The West Community Council had before it a report (March 13, 2001) from the Commissioner of Corporate Services and the Director, Transportation Services, District 2, respecting the conveyance of a portion of the existing Alcide Street road allowance and portions of the existing Codlin Crescent and Steeles Avenue West road allowances to Signet Development Corporation (Signet) in exchange for the construction and conveyance to the City by Signet of a new replacement Alcide Street west of its current location; advising that this proposal may stimulate development in the Claireville Area; that it is consistent with the road pattern(s) previously approved, in principle, by the former City of Etobicoke and the Municipality of Metropolitan Toronto; and recommending that:

- (1) the City proceed with the stopping up and closing as a public highway of portions of Alcide Street, Codlin Crescent and Steeles Avenue West illustrated as Parts 2, 4, 8 and 9 on Sketch No. PMC-2000-064 (Attachment No. 1) (the “Existing Road”), as previously approved by Council, subject to compliance with the requirements of the Municipal Act and upon compliance by Signet with the following terms and conditions:
 - (a) Signet shall indemnify the City against all loss, cost, damage, or action resulting from the closure and conveyance of the Existing Road and the reconstruction and conveyance to the City of the new Alcide Street road allowance, referred to below.
 - (b) Signet shall agree that on or prior to the City conveying the Existing Road to Signet, Signet shall construct a new road on the lands shown as Parts 3 and 6 on Sketch No. PMC-2000-064 (the “New Road”) and shall convey the New Road to the City for the nominal sum of \$2.00, such lands to be free and clear of all encumbrances. Signet shall construct the New Road to the specifications and standards required by the City’s Commissioner of Works and Emergency Services (the “Commissioner”) prior to its conveyance to the City.
 - (c) Signet shall agree to pay the City compensation amounting to \$420,065.00 per hectare (\$170,000.00 per acre) for the difference in area between the Existing Road and the New Road, with the final amount of such compensation to be determined prior to closing following the preparation of a survey.

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- (d) Signet shall agree that at the time the New Road is conveyed to the City, Signet shall, at its sole cost, provide the City with its solicitor's title opinion confirming that the City has acquired good and marketable title to the New Road in fee simple, according to the requirements of Recommendation No. 1(c) hereof, such title opinion to be satisfactory in form and content to the City Solicitor.
- (e) In connection with the proposed development of its property on the east side of the New Road, south of Steeles Avenue West, Signet shall enter into a development agreement with the City, satisfactory in form and content to the Commissioner and the City Solicitor, that includes provisions for the construction of the New Road to the specifications and standards required by the Commissioner, and the installation by Signet of traffic control signals, when required by the City, at the intersection of Steeles Avenue West and the New Road.
- (f) As part of the construction of the New Road, Signet shall agree to undertake the necessary work to ensure that the east limit of the north leg of Codlin Crescent terminates in a design acceptable to the Commissioner, as vehicular access to the New Road from the north leg of Codlin Crescent will not be permitted.
- (g) Signet shall agree to pay the cost of relocating or adjusting any municipal services or public/private utilities located within the Existing Road. The exact amount of this work will be determined by both the City and the relevant public/private utilities.
- (h) Signet shall agree to relocate, at its sole cost, Toronto Hydro's transmission poles currently situated within the Existing Road, and in conjunction therewith, shall carry out, at its sole cost, any necessary modifications to the transmission poles on Codlin Crescent.
- (i) Signet shall agree to install a screen fence along the east and north lot lines of the property located at the north-west corner of Codlin Crescent/relocated Alcide Street (2128 Albion Road). Signet shall install this fence at its expense, and to the satisfaction of the Commissioner and the Commissioner of Urban Development Services.
- (j) Signet shall obtain and deposit in the appropriate Land Registry Office, at its sole cost and expense, a reference plan of survey, integrated with the Ontario Co-ordinate System, delineating thereon as separate parts, the Existing Road and the New Road, to the satisfaction of the City Surveyor.
- (k) Signet shall agree to pay all costs related to the land exchange transaction, including the payment of land transfer tax and GST in respect of the conveyance of both the Existing Road and the New Road. Signet shall

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also pay the cost of registering the authorizing by-law, and any other documents necessary to effect the closing, conveyance of the Existing Road and the construction and conveyance of the New Road.

- (l) Signet shall agree to pay all out-of-pocket expenses that will be incurred by the City as a result of the closing and conveyance, and shall agree that any such money expended by the City will not be refunded in the event that the transaction is not completed.
 - (m) Signet shall comply with all other terms and conditions related to this proposal as the City Solicitor may deem advisable to protect the City's interests.
 - (n) Signet shall satisfy all of the foregoing conditions at no cost to the City.
- (2) notice be given to the public of the proposed by-law to close and sell the Existing Road, in accordance with the requirements of the Municipal Act;
 - (3) the West Community Council hold a public hearing concerning the proposed by-law if any person who claims that the person's land will be prejudicially affected by the proposed by-law applies to be heard, in accordance with the requirements of the Municipal Act;
 - (4) the sale price for the difference in area between the Existing Road and the New Road be set at \$420,065.00 per hectare (\$170,000.00 per acre), with the final sale price to be determined prior to closing following the preparation of a survey;
 - (5) following the stopping up and closing of the Existing Road, upon compliance by Signet with the terms and conditions set out in Recommendation No. (1) hereof, the Existing Road be conveyed to the abutting owner, Signet, on the terms and conditions set out herein; and
 - (6) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that may be required.

On motion by Councillor Milczyn, the West Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 17, Report No. 3)

4.33 Preliminary Report – Application to Amend By-law No. 187-2000 and Chapter 215, Signs, of the Former City of Etobicoke; Municipal Code Imperial Signs, Woodbine Racetrack, 555 Rexdale Boulevard (Ward 1 – Etobicoke North).

The West Community Council had before it a report (March 26, 2001) from the Director of Building and Deputy Chief Building Official, West District, providing preliminary comments on an application by Imperial Signs, on behalf of the Ontario Jockey Club acting for the Ontario Lottery Corporation, to amend By-law No. 187-2000 and Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit new directional signage at Woodbine Racetrack, 555 Rexdale Boulevard; and recommending that:

- (1) notice of the proposed by-law and notice of the Community Council meeting at which the proposed by-law is to be discussed be published in accordance with the Municipal Act;
- (2) the applicant be required to pay all costs associated with the publication of notices under the Municipal Act;
- (3) the Community Council hear any person who before the Council meeting indicated in the notice applies to be heard; and
- (4) staff report on the details of the application.

The West Community Council also had before it a communication (March 28, 2001) from Mr. Nick Eaves, Vice President, Marketing and Gaming, The Ontario Jockey Club, and Mr. Ken Barnet, General Manager, Woodbine Racetrack Slots, advising that their application for approval of an amendment to By-law No. 187-2000 is to replace existing inadequate signage to meet the traffic flow and safety needs of the approximately six million customers who visit Woodbine Racetrack each year; and requesting that this application be adopted as a minor variance to the existing signage by-law amendment that was approved by the Etobicoke Community Council almost one year ago.

Mr. Ted Poplar, Imperial Signs, appeared before the West Community Council in connection with the foregoing matter.

On motion by Councillor Ford, the West Community Council recommended to City Council that:

- (1) the report dated March 26, 2001, from the Director of Building and Deputy Chief Building Official, West District, be received;
- (2) the application for minor variances from Chapter 215-22.1, Woodbine Race-track Signs, of the former City of Etobicoke Municipal Code, to allow the following signs proposed in the submission document titled “Woodbine Race Track Slots, Final

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Colour Specifications, Directional Messaging, Site Plans” prepared by Kramer Design Associates Limited, February 20, 2001 – Revision, be approved:

- (a) one Primary Illuminated Gateway Sign as shown on drawing number W 2.1.A;
 - (b) four Illuminated Vehicular Directional Pylons as shown on drawing W 2.4.1.A;
 - (c) ten Illuminated Vehicular Directional Signs as shown on drawing W 2.6.A;
 - (d) twelve Illuminated Highway Directional Signs as shown on drawing 2.8.A; and
 - (e) six Non-Illuminated Directional Signs as shown on drawing 2.7.A;
- (3) as a condition of approval of the variances, the following existing signs shall be removed:
- (a) two Illuminated Directional Pylon signs with LED (type A-3a);
 - (b) three Illuminated Directional Pylon signs (type A-3b);
 - (c) ten Small Directional Non-illuminated signs (type A-4);
 - (d) eighteen Small Directional Non-illuminated signs (type A-4a); and
 - (e) two Small Directional Illuminated signs (type A-4b);
- (4) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary permits from the Commissioner of Urban Development Services; and
- (5) the appropriate City officials be authorized and directed to take the appropriate action to give effect thereto.

(Clause No. 20, Report No. 3)

4.34 Request for an Exemption to By-law No. 280-1998: 125 The Queensway (Ward 5 – Etobicoke-Lakeshore).

The West Community Council had before it a communication (April 2, 2001) from Councillor Peter Milczyn, Ward 5 – Etobicoke Lakeshore, respecting a sign application for 125 The Queensway with regard to the previous decision by Council in October 2000 directing staff not to consider new third party sign applications until Council had the opportunity to implement a new City-wide harmonized sign by-law; requesting that the application be exempt from By-law No. 280-1998 and considered by staff, prior to the implementation of the harmonized sign-by law.

Councillor Milczyn moved that the West Community Council:

- (1) recommend to City Council that the previous policy by City Council not to accept applications for a variance to By-law No. 280-1998, until a harmonized sign by-law is in place, be rescinded, specifically for the application respecting 125 The Queensway; and **(Lost)**
- (2) that if his previous motion failed, this matter be referred to the Director of Building and Deputy Chief Building Official, West District, with a request that he submit a report to the West Community Council on the ramifications of rescinding the previous policy of Council not to accept applications for a variance to By-law No. 280-1998, until a harmonized sign by-law is in place, such report to also include a list of past and current applications affected by the policy. **(Carried)**

(Sent to: Councillor Peter Milczyn, Etobicoke – Lakeshore; Director, Building and Deputy Chief Building Official, West District – April 10, 2001)

(Clause No. 25 (k), Report No. 3)

4.35 Proposal to Cancel Mechanical Leaf Pick-up.

The West Community Council had before it a communication (March 29, 2001) from Councillor Doug Holyday, Ward 3 – Etobicoke Centre, requesting that the matter of the proposal to cancel the mechanical leaf pick-up service be discussed by the West Community Council on April 4, 2001, in light of concerns expressed by residents.

On motion by Councillor Holyday, the West Community Council received the aforementioned communication.

(Clause No. 25 (l), Report No. 3)

**4.36 Request for Endorsement of the Lakeshore Community Festival
for Liquor Licensing Purposes.**

The West Community Council had before it a communication (April 3, 2001) from Mr. Carl Porritt, Coordinator, Lakeshore Community Festival, providing details of the Lakeshore Community Festival to be held at Humber College Lakeshore Campus on Saturday, June 9, 2001, a copy of which is on file in the office of the City Clerk.

Councillor Jones appointed Councillor Milczyn Acting Chair and vacated the Chair.

On motion by Councillor Jones, the West Community Council recommended that City Council, for liquor licensing purposes, declare the Lakeshore Community Festival to be held on Saturday, June 9, 2001, to be an event of municipal and/or community significance, and advise the Alcohol and Gaming Commission of Ontario that it has no objection to it taking place.

Councillor Jones resumed the Chair

(Clause No. 19, Report No. 3)

The West Community Council adjourned its meeting at 10:45 p.m.

Chair.