

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Etobicoke Community Council

Meeting No. 5

Wednesday, June 11, 2003

The Etobicoke Community Council met on Wednesday, June 11, 2003, in the Council Chambers, Etobicoke Civic Centre, 399 The West Mall, Toronto, commencing at 2:05 p.m.

Attendance:

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

	2:05 p.m. to 2:50 p.m.	6:35 p.m. to 11:15 p.m.
Councillor Rob Ford	X	-
Councillor Suzan Hall (Vice Chair)	X	X
Councillor Douglas Holyday	-	X
Councillor Irene Jones	X	X
Councillor Gloria Lindsay Luby	X	-
Councillor Peter Milczyn (Chair)	X	X

Councillor Milczyn in the Chair.

Confirmation of Minutes

On motion by Councillor Hall, the Minutes of the meeting of the Etobicoke Community Council held on May 7, 2003, were confirmed.

On motion by Councillor Jones, the Etobicoke Community Council concurred in the introduction of a new staff report included on the Added Starter Agenda as Item No. 23 and a new Item No. 24 submitted by Councillor Jones.

**5.1 Reduction of Speed Limit from 50 km/h to 40 km/h on Wainwright Drive
(Ward 4 – Etobicoke Centre)**

The Etobicoke Community Council had before it a report (April 30, 2003) from the Director, Transportation Services, District 2, responding to a petition from residents of Wainwright Drive requesting traffic calming on this street; and recommending that:

- (1) the speed limit on Wainwright Drive, between Rathburn Road and Great Oak Drive, be reduced from 50 km/h to 40 km/h as the requirements of the 40 km/h Speed Limit Warrant are achieved; 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 Jones, the Etobicoke Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 1, Report No. 5)

**5.2 Reduction of Speed Limit from 50 km/h to 40 km/h on Wincott Drive between
The Westway and Nugent Road (Ward 4 – Etobicoke Centre)**

The Etobicoke Community Council had before it a report (May 8, 2003) from the Director, Transportation Services, District 2, responding to a request from a resident of Nugent Road requesting action to mitigate speeding and collisions occurring on Wincott Drive, specifically at the intersection of Wincott Drive and Nugent Road; and recommending that:

- (1) the speed limit on Wincott Drive, between The Westway and Nugent Road, be reduced from 50 km/h to 40 km/h as the requirements of the 40 km/h Speed Limit Warrant are achieved; 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 Lindsay Luby, the Etobicoke Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 2, Report No. 5)

5.3 Speeding and Parking Concerns on Cinrickbar Drive (Ward 2 – Etobicoke North)

The Etobicoke Community Council had before it a report (May 2, 2003) from the Director, Transportation Services, District 2, responding to concerns raised by Councillor Rob Ford, Ward 2 – Etobicoke North, and area residents of Cinrickbar Drive respecting speeding on the street and parking, specifically in the area of three curves in the road; and recommending that:

- (1) the speed limit on Cinrickbar Drive, between Humberwood Boulevard and Hullrick Drive (west intersection) be reduced from 50 km/h to 40 km/h as the requirements of the 40 km/h Speed Limit Warrant are achieved;
- (2) parking be prohibited at all times on the south and west side of Cinrickbar Drive from a point 65.0 metres south of Hullrick Drive (east intersection) to a point 40.0 metres further southwest thereof;
- (3) parking be prohibited at all times on the south and east side of Cinrickbar Drive from a point 45.0 metres west of Arborwood Drive to a point 40.0 metres further northwest thereof;
- (4) parking be prohibited at all times on the south and east side of Cinrickbar Drive from a point 80.0 metres west of Hullrick Drive (west intersection) to a point 30.0 metres further southwest thereof; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

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

(Clause No. 3, Report No. 5)

5.4 Proposed Introduction of Stopping Regulations on Porterfield Road at West Humber Junior Middle School (Ward 2 – Etobicoke North)

The Etobicoke Community Council had before it a report (May 7, 2003) from the Director, Transportation Services, District 2, responding to a request from the Toronto Police Service, Parking Enforcement Unit, to examine parking on Porterfield Road in the vicinity of West Humber Junior Middle School and concerns raised by Councillor Rob Ford, Ward 2 – Etobicoke North, and area residents respecting speeding and parking on Porterfield Road in the area of Delsing Drive; and recommending that:

- (1) a “No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday” regulation be installed on the south side of Porterfield Road from Delsing Drive to Billcar 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 Ford, the Etobicoke Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 4, Report No. 5)

5.5 Proposed Parking and Traffic By-law Amendments Related to Toledo Road in the Area of Bloordale Middle School (Ward 3 – Etobicoke Centre)

The Etobicoke Community Council had before it a report (May 9, 2003) from the Director, Transportation Services, District 2, respecting an on-site meeting with the Principal of Bloordale Middle School at 10 Toledo Road to observe and discuss various traffic and parking issues in the area of the school; and recommending that:

- (1) the current by-law prohibiting parking between 8:00 a.m. and 5:00 p.m., Monday through Friday, on both sides of Toledo Road between a point 41.0 metres west of Renforth Drive and a point 145.0 metres west thereof, be rescinded;
- (2) parking be prohibited, between 8:00 a.m. and 5:00 p.m., Monday through Friday, on the north side of Toledo Road between a point 43.0 metres west of Renforth Drive and a point 160.0 metres west thereof;
- (3) the current by-law associated with the designated bus loading zone on the north side of Toledo Road, between a point 66.0 metres west of Renforth Drive and a point 61.0 metres west thereof, be rescinded;
- (4) a bus loading zone be designated on the north side of Toledo Road, between a point 85.0 metres west of Renforth Drive and a point 24.0 metres west thereof;
- (5) stopping be prohibited, between 8:00 a.m. and 5:00 p.m., Monday through Friday, on the south side of Toledo Road between a point 43.0 metres west of Renforth Drive and a point 160.0 metres west thereof;
- (6) U-turns be prohibited anytime for east and westbound traffic on Toledo Road between Renforth Drive and a point 203.0 metres west thereof; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.

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

(Clause No. 5, Report No. 5)

5.6 Introduction of Designated Bicycle Lanes and No Stopping Prohibitions on Royal York Road between Lake Shore Boulevard West and Cavell Avenue (Ward 6 – Etobicoke-Lakeshore)

The Etobicoke Community Council had before it a report (May 29, 2003) from the Director, Transportation Services, District 2, respecting the rehabilitation of Royal York Road between Lake Shore Boulevard West and Cavell Avenue; advising that the rehabilitation work includes road structure repairs, new asphalt paving, replacement of curb, gutter and sidewalks where necessary, and boulevard improvements including tree planting; that although the road rehabilitation work does not propose any road pavement widening, the plans propose the removal of the existing on-street parking on the west side of the street, to accommodate bicycle lanes on both sides of the street; and recommending that:

- (1) the rehabilitation of Royal York Road – Phase 1 – from Lake Shore Boulevard West to Cavell Avenue include the provision of a designated minimum 1.8 metre wide bicycle lane on the east side of the Royal York Road between Eastbourne Crescent and Cavell Avenue;
- (2) the rehabilitation of Royal York Road – Phase 1 – from Lake Shore Boulevard West to Cavell Avenue include the provision of a designated minimum 1.8 metre wide bicycle lane on the west side of Royal York Road between Cavell Avenue and Albani Street;
- (3) the by-law associated with the “1 Hour” parking restriction on the west side of Royal York Road between Albani Street and Mimico Avenue be rescinded;
- (4) the by-law associated with the “1 Hour” parking restriction on the west side of Royal York Road between Albani Street and Struthers Street be rescinded;
- (5) the by-law associated with the “1 Hour” parking restriction on the west side of Royal York Road between a point 24.0 metres north of Struthers Street and Mimico Avenue be rescinded;
- (6) the by-law associated with the “1 Hour” parking restriction on the east side of Royal York Road between Drummond Street and Stanley Avenue be rescinded;
- (7) parking be restricted to a maximum of "1 Hour, anytime", on the west side of Royal York Road between Vanevery Street and Macdonald Street;

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- (8) the by-law associated with the “No Parking Anytime” prohibition on the east side of Royal York Road between Lake Shore Boulevard West and Vanevery Street be rescinded;
- (9) the by-law associated with the “No Parking Anytime” prohibition on the east side of Royal York Road between Mimico Avenue and Drummond Street be rescinded;
- (10) the by-law associated with the “No Parking Anytime” prohibition on the east side of Royal York Road between Stanley Avenue and Cavell Avenue be rescinded;
- (11) the by-law associated with the “No Parking Anytime” prohibition on the west side of Royal York Road between Mimico Avenue and Cavell Avenue be rescinded;
- (12) parking be prohibited anytime on the east side of Royal York Road between Lake Shore Boulevard West and Eastbourne Crescent;
- (13) stopping be prohibited anytime on the east side of Royal York Road between Eastbourne Crescent and a point 76.0 metres south of Mimico Avenue;
- (14) stopping be prohibited anytime on the east side of Royal York Road between Mimico Avenue and Cavell Avenue;
- (15) stopping be prohibited anytime on the west side of Royal York Road between Cavell Avenue and Vanevery Street;
- (16) stopping be prohibited anytime on the west side of Royal York Road between Macdonald Street and Albani Street; and
- (17) 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.

The following persons appeared before the Etobicoke Community Council:

- Mike Moore;
- Rhona Swarbrick;
- Donna Gould; and
- Mark Bouckaert.

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

(Clause No. 6, Report No. 5)

**5.7 Declaration of Surplus Land and Closing of First Public Lane
South of Bloor Street West between Islington Avenue and Clissold Road
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke Community Council again had before it a joint report (March 17, 2003) from the Commissioner, Works and Emergency Services, and the Commissioner, Corporate Services, respecting the declaration of surplus lands and the closing of the first Public Lane south of Bloor Street West, between Islington Avenue and Clissold Road, as the Lane is not required for municipal purposes; and recommending that:

- (1) the Lane be declared surplus to the City's requirements and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (2) the Commissioner of Corporate Services be authorized to invite an offer(s) to purchase from the abutting property owner(s);
- (3) subject to compliance with the requirements of the Municipal Act, 2001, and following Council's approval of a sale of the Lane, the Lane be permanently closed as a public lane;
- (4) following Council's approval of a sale of the Lane, notice be given to the public of a proposed by-law to permanently close the Lane, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the Etobicoke Community Council hear any member of the public who wishes to speak to this matter;
- (5) following closure of the Lane, easements be granted to any affected utility companies for the existing utilities plant located in the Lane or, with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser(s) of the Lane, with such costs to be determined by the appropriate utility companies; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary to give effect thereto.

Councillor Milczyn appointed Councillor Hall as Acting Chair and vacated the Chair.

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

Councillor Milczyn resumed the Chair.

(Clause No. 7, Report No. 5)

**5.8 Request for Fence Variance – 3526 Lake Shore Boulevard West
(Ward 6 – Etobicoke-Lakeshore)**

The Etobicoke Community Council again had before it a report (May 1, 2003) from the District Manager, Municipal Licensing and Standards, West District, respecting a request by Marino D'Alessandro, owner of 3526 Lake Shore Boulevard West and operator of the Marino's Lakeshore Auto Mall thereon, for an exemption to the Toronto Municipal Code, Chapter 447, Fences, to permit an existing 3-metre high corrugated sheet metal fence to remain on the property; and recommending that:

- (1) the fence be reduced to a height of 2.5 metres; and
- (2) the corrugated sheet metal panels be replaced by wooden boards or such materials other than those prohibited in Chapter 447 of the Toronto Municipal Code, Fences.

The Etobicoke Community Council also had before it a report (May 26, 2003) from the District Manager, Municipal Licensing and Standards, West District, responding to a request from the Etobicoke Community Council at its meeting on May 7, 2003, for a survey to be conducted in the immediate neighbourhood, to ascertain if the residents have any objection to the application submitted by Marino D'Alessandro, owner of 3526 Lake Shore Boulevard West and operator of the Marino's Lakeshore Auto Mall thereon, for an exemption to the Toronto Municipal Code, Chapter 447, Fences, to permit an existing 3-metre high corrugated sheet metal fence to remain on the property; and recommending that:

- (1) the fence be reduced to a height of 2.5 metres; and
- (2) the corrugated sheet metal panels be replaced by wooden boards or such materials other than those prohibited in Chapter 447 of the Toronto Municipal Code, Fences.

Marino D'Alessandro appeared before the Etobicoke Community Council.

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

- (1) the existing 3-metre corrugated sheet metal panels located on the north elevation of the subject property be exempt from Chapter 447 of the Toronto Municipal Code, Fences;
- (2) the existing 3-metre corrugated sheet metal panels located on the west elevation be exempt from Chapter 447 of the Toronto Municipal Code, Fences; and
- (3) the fence on the east elevation between Elder Avenue and the Canadian National Right-of-Way be reduced to a height of 2.5 metres, and that the corrugated sheet metal panel be allowed on the west face and a wooden face be erected facing the residential properties.

(Clause No. 8, Report No. 5)

**5.9 Request for Noise Exemption by Islington Golf and Country Club
45 Riverbank Drive (Ward 4 – Etobicoke Centre)**

The Etobicoke Community Council had before it a report (May 26, 2003) from the District Manager, Municipal Licensing and Standards, West District, responding to a request by Trevor D'silva, on behalf of the Islington Golf and Country Club, for an exemption from the provisions of the the Toronto Municipal Code, Chapter 591, Section 10, Noise By-law; and recommending that the Islington Golf and Country Club be granted an exemption from the noise by-law for Friday, July 18, 2003, from 11:00 p.m. to 2:00 a.m., and Saturday, August 23, 2003, from 11:00 p.m. to 2:00 a.m.

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

(Clause No. 9, Report No. 5)

**5.10 Designation of Property under Part IV of the Ontario Heritage Act
12 King George's Road (George Skelding House) (Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke Community Council had before it a communication (May 15, 2003) from the City Clerk advising that the Toronto Preservation Board, at its meeting held on May 15, 2003, had before it a report dated May 6, 2003, from the Commissioner, Economic Development, Culture and Tourism, headed "Designation of Property under Part IV of the Ontario Heritage Act – 12 King George's Road (George Skelding House) (Ward 5 – Etobicoke-Lakeshore)", wherein it recommended that:

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- (1) City Council state its intention to designate the property at 12 King George's Road (George Skelding House) under Part IV of the Ontario Heritage Act; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

and recommending to the Etobicoke Community Council, the adoption of the aforementioned report from the Commissioner, Economic Development, Culture and Tourism.

The Etobicoke Community Council also had before it the aforementioned report (May 6, 2003) from the Commissioner, Economic Development, Culture and Tourism.

On motion by Councillor Lindsay Luby, the Etobicoke Community Council recommended to City Council the adoption of the Recommendation contained in the aforementioned communication from the City Clerk.

(Clause No. 10, Report No. 5)

**5.11 Application for Demolition under Section 34 of the Ontario Heritage Act -
691 Scarlett Road (St. Matthias Anglican Church) (Ward 2 – Etobicoke North)**

The Etobicoke Community Council had before it a communication (May 15, 2003) from the City Clerk advising that the Toronto Preservation Board, at its meeting held on May 15, 2003, had before it a report dated May 6, 2003, from the Commissioner, Economic Development, Culture and Tourism, headed "Application for Demolition under Section 34 of the Ontario Heritage Act – 691 Scarlett Road (St. Matthias Anglican Church) (Ward 2 – Etobicoke North)", wherein it recommended that:

- (1) City Council refuse the application to demolish the building located on the property at 691 Scarlett Road (St. Matthias Anglican Church) under Section 34 of the Ontario Heritage Act; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

and recommending to the Etobicoke Community Council, the adoption of the aforementioned report from the Commissioner, Economic Development, Culture and Tourism.

The Etobicoke Community Council also had before it the aforementioned report from the Commissioner, Economic Development, Culture and Tourism.

On motion by Councillor Ford, the Etobicoke Community Council recommended to City Council the adoption of the Recommendation contained in the aforementioned communication from the City Clerk.

(Clause No. 11, Report No. 5)

5.12 Parkland Encroachment – 60 Ester Lorrie Drive (Ward 2 – Etobicoke North)

The Etobicoke Community Council had before it a report (May 21, 2003) from the Commissioner, Economic Development, Culture and Tourism, respecting a land exchange to resolve an encroachment matter at 60 Ester Lorrie Drive; and recommending to the Toronto and Region Conservation Authority, in accordance with the recommendation of the Encroachment Review Committee, that:

- (1) a land exchange be undertaken between Mink Dynasty, owner of 60 Ester Lorrie Drive, and the Toronto and Region Conservation Authority, as illustrated in Attachment A, in accordance with the Parkland Encroachment Policy and Procedure for Resolving Parkland Encroachments, and conditional upon the following:
 - (a) the applicant to absorb all costs for the survey, registration, etc.;
 - (b) the existing area of hard surface (currently asphalt) not to be increased;
 - (c) the installation of barriers along the perimeter of the parking lot to deter inappropriate park use within six months of the land exchange, the design of which will be subject to approval by the Commissioner, Economic Development, Culture and Tourism; and
 - (d) the applicant to submit an application for variance of zoning to the Committee of Adjustment with the Toronto and Region Conservation Authority, as current landowner, providing the necessary documentation, so that this can proceed concurrently; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

(Clause No. 12, Report No. 5)

**5.13 Reconstruction of Royal York Road from Mimico Creek to Dundas Street West
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke Community Council had before it a revised communication (May 29, 2003) from the City Clerk advising that the Council of the City of Toronto at its meeting held on May 21, 22 and 23, 2003, in considering Clause No. 20 contained in Report No. 4 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”, struck out and referred the following Item (d), entitled “Reconstruction of Royal York Road from Mimico Creek to Dundas Street West”, back to the Etobicoke Community Council for further consideration:

“(d) Reconstruction of Royal York Road from Mimico Creek to Dundas Street West

The Etobicoke Community Council reports having:

- (1) referred the communication (May 1, 2003) from the Kingsway Park Ratepayers Inc. to the Commissioner, Works and Emergency Services, for consideration by Transportation Services staff during the design and public consultation portion of the reconstruction of Royal York Road commencing in 2004; and
- (2) requested that prior to the reconstruction of Royal York Road between Dundas Street West and The Queensway, the Commissioner, Works and Emergency Services, submit a report to Etobicoke Community Council on implementing the master bike plan on this section of Royal York Road:

Communication (May 1, 2003) from Mary Campbell, President, Kingsway Park Ratepayers Inc., requesting that the design parameters as noted in the communication be included in the options to be considered by staff, Council and neighbourhood residents for the project respecting the reconstruction of Royal York Road from Mimico Creek to Dundas Street West.”

Rhona Swarbrick appeared before the Etobicoke Community Council.

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

- A. Councillor Milczyn moved that the communication (May 1, 2003) from the Kingsway Park Ratepayers Inc. referred to in the aforementioned communication, be referred to the Commissioner, Works and Emergency Services, for consideration by Transportation Services staff during the design and public consideration portion of the reconstruction of Royal York Road commencing in 2004.
(Carried)

Councillor Milczyn resumed the Chair.

- B. Councillor Jones moved that the Etobicoke Community Council request that during the consultation on the reconstruction of Royal York Road between Dundas Street West and The Queensway, the Commissioner, Works and Emergency Services, take into account the implementation of the master bike plan on this section of Royal York Road. **(Carried)**

(Sent to: Commissioner, Works and Emergency Services; c. General Manager, Transportation Services; Mary Campbell, President, Kingsway Park Ratepayers Inc.; Rhona Swarbrick – June 13, 2003)

(Clause No. 22(a), Report No. 5)

5.14 Construction and Maintenance of Fire Routes - 65 Kelfield Street (Ward 2 – Etobicoke North)

The Etobicoke Community Council had before it a report (May 13, 2003) from the District Chief, Fire Prevention, West Command, respecting the enactment of the appropriate by-law to allow the construction and maintenance of a fire route; and recommending that:

- (1) Chapter 134-20 of the Etobicoke Municipal Code be amended by adding 65 Kelfield Street to Schedule 'B', "Lands upon which Fire Routes are to be Constructed and Maintained"; and
- (2) the appropriate by-law be enacted by City Council.

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

(Clause No. 13, Report No. 5)

5.15 Fire Route Designation (Various Wards)

The Etobicoke Community Council had before it a report (May 13, 2003) from the District Chief, Fire Prevention, West Command, respecting the enactment of the appropriate by-law to approve the final designation of a fire route to enable By-law Enforcement Officers to tag illegally parked vehicles within the designated fire route; and recommending that:

- (1) the final designation of a Fire Route under Chapter 134 of the Etobicoke Municipal Code be approved at the following locations:

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- 350 Evans Avenue;
 - 312 Humber College Boulevard;
 - 1020 Islington Avenue;
 - 88 Palace Pier Court;
 - 237 Queens Plate Drive;
 - 330 Queens Plate Drive; and
 - 1608 The Queensway; and
- (2) the appropriate by-law be enacted by City Council.
On motion by Councillor Hall, the Etobicoke Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 14, Report No. 5)

5.16 Requests for Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code (Various Wards)

The Etobicoke Community Council had before it a communication (May 21, 2003) from the City Clerk advising that the Etobicoke Sign Variance Advisory Committee at its meeting held on May 20, 2003, recommended to the Etobicoke Community Council that:

- (1) the report dated April 30, 2003, from the Director of Building and Deputy Chief Building Official, West District, embodying an application by Stephen Stockley, Steel Art Signs Corporation, on behalf of Fima Development, for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit one illuminated ground sign at 1750 The Queensway, be adopted;
- (2) the report dated May 2, 2003, from the Director of Building and Deputy Chief Building Official, West District, embodying an application by Javied Akhtar, Kquality Signs Inc., on behalf of RBC Financial Group, for approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit one first-party fascia sign on the wall of the flanking street elevation and one roof sign on the face of the parapet wall of the existing building at 2947 Bloor Street West, be adopted;
- (3) the report dated May 2, 2003, from the Director of Building and Deputy Chief Building Official, West District, embodying an application by Kim Paterson, DNS Signs Limited, on behalf of Sport Mart Corporation, for the approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit two first-party fascia signs on the east and south elevations of the existing building at 181 North Queen Street, recommending that the request for the east elevation be approved, provided its size is reduced to four square metres, and the request for variance for the south wall sign be refused, be adopted;

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- (4) the report dated May 7, 2003, from the Director of Building and Deputy Chief Building Official, West District, embodying an application by Morry Edelstein, RAI Architect Inc., on behalf of Canadian Tire Real Estate Ltd., for the approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit six third-party signs suspended from the weather canopy over the gas pumps and six third-party signs mounted on the columns that support the weather canopy at 1608 The Queensway, recommending that the request for variances be refused, be adopted; and
- (5) the report dated May 7, 2003, from the Director of Building and Deputy Chief Building Official, West District, embodying an application by Dominic Rotundo, Pattison Sign Group, on behalf of Courtesy Chev Olds, for approval of a variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit seven first-party illuminated fascia signs, six on the north-east elevations facing The Queensway and one on the north-west elevation facing Highway No. 427 at 1635 The Queensway, be adopted.

On motion by Councillor Hall, the Etobicoke Community Council recommended to City Council the adoption of the Recommendations contained in the aforementioned communication.

(Clause No. 16, Report No. 5)

**5.17 Final Report – Application to Amend the Etobicoke Official Plan and Zoning Code
CIC Millwork Ltd., 35 Fieldway Road; File No. TA CMB 2002 0020
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke Community Council held a statutory Public Meeting on June 11, 2003, and appropriate notice of this meeting was given in accordance with the Planning Act.

The Etobicoke Community Council had before it a report (May 26, 2003) from the Director, Community Planning, West District, respecting an application by CIC Millwork Ltd. to amend the Etobicoke Official Plan and Zoning Code to permit the development of a 100-unit townhouse project and public park on lands known municipally as 35 Fieldway Road, located on the south side of Fieldway Road between Islington and Kipling Avenues, approximately 500 metres away from the Islington Subway Station; and recommending that:

- (1) the Official Plan for the former City of Etobicoke and the new Toronto Plan be amended substantially in accordance with the draft Official Plan Amendments attached as Attachments Nos. 4 and 5;
- (2) the Zoning Code for the former City of Etobicoke be amended substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;

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- (3) the City Solicitor be authorized to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-law Amendment as may be required;
- (4) before introducing the necessary Bills to City Council for enactment, the owner be required to enter into a Section 37 agreement to secure a 980.5 square metre dedicated public park, improvements to the public park, the soil and groundwater of the park must meet Ministry of the Environment standards, the owner agrees to carry out the recommendations for clean up or removal of contaminated soil prior to the issuance of a building permit, the owner agrees to carry out all noise attenuation measures and post warning notices in all Purchase and Sale Agreements;
- (5) before introducing the necessary Bills to City Council for enactment, the owner be required to demonstrate that there is capacity in the existing sanitary sewer system for the intensified use or commit to the upgrading of the sanitary sewer in a manner satisfactory to Works and Emergency Services;
- (6) before introducing the necessary Bills to City Council for enactment, the review of the Air Quality Survey must be completed and be satisfactory to Works and Emergency Services;
- (7) before introducing the necessary Bills to City Council for enactment, the revised fiscal impact study must be submitted and reviewed by the Economic Development Division; and
- (8) before introducing the necessary Bills to City Council for enactment, the owner must agree to withdraw his appeal of the new Toronto Plan upon the Official Plan Amendment and Zoning By-law Amendment coming into full effect and force.

The following persons appeared before the Etobicoke Community Council:

- Adam Brown, on behalf of the applicant;
- Perry Voulgaris;
- Stan Krabowski;
- David Brown, David Brown and Associates, and filed a submission;
- Muriel Zakula;
- Anita Groman;
- Norman Schutz, President, West Kingsway Ratepayers' Association;
- Perry Vagnini; and
- William J. Reynolds, and filed a submission.

Councillor Milczyn appointed Councillor Hall as Acting Chair, and vacated the Chair.

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A. Councillor Milczyn moved that the Etobicoke Community Council recommend to City Council the adoption of the aforementioned report, subject to the following amendments:

(1) Recommendation No. (4) be amended by:

(i) adding the following words after the words "Sales Agreements":

"and an additional community benefit in the Section 37 agreement be that the owner be required to make a cash contribution of \$25,000 to fund local traffic calming measures and the balance of the funds, if any, are to be used for the purposes of local park improvements on public roads";

(ii) adding the following to the Section 37 agreement:

"that staff secure public pedestrian and vehicular easements across the property to ensure access to the new public park"; and

(iii) adding to the end of the Recommendation:

"and that staff be directed to complete the required Section 37 agreement prior to the next City Council meeting"; and

(2) Recommendation No. (7) be deleted and the following inserted in lieu thereof:

"(7) given that the fiscal impact study has been submitted by the applicant for review by the Economic Development Division, in the event that the Economic Development Division has not completed its review prior to the introduction of the Bills at the next City Council meeting, receipt of the review by the Economic Development Division will simply be a condition to the approval of the building permit;" and

(3) the following additional Recommendation No. (9) be added thereto:

"(9) waive the requirements of the Traffic Calming Policy for area residents to petition for a traffic calming study, and that staff work to implement any warranted

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traffic calming measures, in compliance with the Traffic Calming Policy, in advance of completion of the proposed development; and that the traffic calming study examine the area bounded by the subject site on the west, Bloor Street on the north, Islington Avenue on the east, and Van Dusen Boulevard on the south.”

The Etobicoke Community Council concurred in Councillor Milczyn’s request to withdraw his foregoing Motion A. with respect to recommending adoption of the aforementioned report.

- B. Councillor Milczyn moved that at such time as this matter is again before the Community Council, part (1), (2) and (3) of Motion A. be incorporated in the staff report. **(Carried)**

Councillor Milczyn resumed the Chair.

- C. Councillor Jones moved that the aforementioned report be referred back to the Director, Community Planning, West District, for further revisions to the site plan as follows:
 - (a) reduction in the number of units by at least 26 units;
 - (b) increased parkland;
 - (c) more adequate visitor parking; and
 - (d) adequate buffer between the development and Bering Yard, the autobody shops and the rail line. **(Carried)**

(Sent to: Commissioner, Economic Development, Culture and Tourism;
Director, Community Planning, West District; c. Other Interested Persons –
June 17, 2003)

(Clause No. 22(b), Report No. 5)

**5.18 Final Report – Application to Amend the Etobicoke Official Plan and Zoning Code
Sun Life Assurance Company of Canada (Burka Varacalli Architects)
5145 Dundas Street West; File No. TA CMB 2002 0016
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke Community Council held a statutory Public Meeting on June 11, 2003, and appropriate notice of this meeting was given in accordance with the Planning Act.

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The Etobicoke Community Council had before it a report (May 26, 2003) from the Director, Community Planning, West District, respecting an application by Sun Life Assurance Company of Canada (Burka Varacalli Architects) to amend the Etobicoke Official Plan and Zoning Code to permit a mixed use development consisting of 950 dwelling units contained in 4 apartment buildings ranging from 12 to 25 storeys, and 2 mid-range buildings having a height of 5 storeys, and approximately 950 metres of commercial gross floor space on lands known municipally as 5145 Dundas Street West, bounded by Bloor Street West to the south, Dundas Street West to the north, Dunbloor Road to the west and a townhouse and apartment development that is currently under construction (Bloorwood Manor) to the east.; and recommending that:

- (1) amend the Etobicoke Official Plan substantially in accordance with the draft Official Plan Amendment appended as Attachment No. 7;
- (2) amend the Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment appended as Attachment No. 8;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning Code Amendments as may be required;
- (4) before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement with the City regarding the provision of community benefits as set out in Attachment 6 of this report. In the event that revisions to Attachment 6 are required, the Commissioner of Urban Development Services be authorized to report to Community Council or directly to City Council;
- (5) before introducing the necessary Bills for enactment, require the applicant to submit a letter of undertaking to the City agreeing to withdraw their appeal with respect to the Toronto Official Plan upon the Official Plan and Zoning By-law amendments coming into force;
- (6) before introducing the necessary Bills for enactment, require the applicant to satisfy the transportation, environmental, servicing, school board and Section 37 matters to the satisfaction of the City; and
- (7) authorize the City Solicitor to support the recommendations of this report at the Ontario Municipal Board, in relation to the appeals of the newly enacted Etobicoke Centre Secondary Plan and implementing Zoning By-law and in relation to the appeal of the new City of Toronto Official Plan as it pertains to the Etobicoke Centre Secondary Plan area.

The following persons appeared before the Etobicoke Community Council:

- Adam Brown, on behalf of the applicant, Concert Properties;

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- Bob Berry, Islington Residents and Ratepayers Association;
- Linda Pederson, Village of Islington BIA; and
- Terrence Reardon.

Councillor Milczyn appointed Councillor Hall as Acting Chair and vacated the Chair.

On motion by Councillor Milczyn, the Etobicoke Community Council recommended to City Council the adoption of the aforementioned report, subject to the following amendments:

- (1) adding the following clause to the Section 37 Agreement (Attachment 6), the implementing Official Plan Amendment (Attachment 7) and the implementing zoning by-law (Attachment 8) to provide an alternative option for a density bonus of 1.0 for seniors housing:

“Supermarket and/or Convenience Food Store

As an alternate to the Cash Contribution noted above, the owner may construct a supermarket and/or convenience food store of a minimum gross floor area of 700 m², to a maximum of gross floor area 4, 200 m², with all of the gross floor area devoted to the supermarket and/or convenience food store excluded from the calculation of density and make a cash contribution of \$50,000, to be used for seniors service facilities (Islington Seniors Centre), which contribution shall be provided prior to the issuance of a building permit which utilizes such density.”;

- (2) amending the Transportation Improvements sections in the Section 37 Agreement (Attachment 6), the implementing Official Plan Amendment (Attachment 7) and the implementing zoning by-law (Attachment 8) by adding in the last sentence of the second paragraph of this section, the words “no more than 50%” between the words “of this development for” and “the costs and associated road improvements”;
- (3) amending the Parking and Loading Requirements (Section 8, Attachment 8):
 - (i) by including a definition of Seniors Housing as housing built specifically for persons 65 years and over;
 - (ii) by adding the following:

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“Subject to the proposal complying with the definition of Seniors Housing as mentioned above, the parking standards not be limited to government funded housing;” and

(iii) by adding to Section 8(i)(b) the following:

“Seniors Housing – minimum 0.35 parking spaces per dwelling unit, of which 0.1 parking spaces shall be reserved for visitor parking.”;

(4) amending the Sidewalk and Streetscape Improvements section of the Section 37 Agreement to read:

“The applicant agrees to design and construct to the satisfaction of the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services sidewalk and streetscape improvements along its public frontages to current City standards and in conformity with the current BIA standards”;

(5) requesting the Commissioner of Urban Development Services to ensure architectural consistency along the side of Dundas Street West, and to establish common datum heights for significant architectural features in the 5145 Dundas Street West project and the Dunbloor Road project; to be secured through the site plan agreement; and

(6) requesting the Chief Financial Officer and Treasurer to submit a report to the Policy and Finance Committee on the possibility of establishing an “Etobicoke City Centre Community Improvement Plan Reserve Fund” so that all Section 37 contributions, and cash-in-lieu of parkland contributions earmarked for the CIP area be accounted for in a separate identifiable account.

Councillor Milczyn resumed the Chair.

(Clause No. 21, Report No. 5)

5.19 Preliminary Report – Application to Amend the Etobicoke Official Plan and Zoning Code; Canadian Tire Corporation; R. Varacalli Architect Inc. 975 The Queensway; File No. TA CMB 2003 0006 (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke Community Council had before it a report (May 21, 2003) from the Director, Community Planning, West District, providing preliminary information on an application by Canadian Tire Corporation to amend the Etobicoke Official Plan and Zoning Code to permit the construction of two residential buildings, each ranging in

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height from 8 to 17 storeys with a total of 750 dwelling units and approximately 1 200 square metres of commercial gross floor area on the ground floor, on lands known municipally as 975 The Queensway, located in the south-east quadrant of The Queensway and Islington Avenue; 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.

Councillor Milczyn appointed Councillor Hall as Acting Chair and vacated the Chair.

On motion by Councillor Milczyn, the Etobicoke Community Council approved the aforementioned report, subject to striking out Recommendation No. (2) and inserting in lieu thereof the following:

“(2) notice for the community consultation meeting be given to landowners and residents beyond 120 metres of the site as determined in consultation with the Ward Councillor; and”.

Councillor Milczyn resumed the Chair.

(Sent to: Patrick Berne, 1405012 Ontario Inc.; c: Councillor Milczyn, Ward 5 – Etobicoke-Lakeshore; Director, Community Planning, West District – June 17, 2003)

(Clause No. 22(c), Report No. 5)

**5.20 Payment-In-Lieu of Parking – 368 Royal York Road
(Ward 6 – Etobicoke-Lakeshore)**

The Etobicoke Community Council had before it a report (May 27, 2003) from the Director, Transportation Services, District 2, respecting a request for exemption from the Etobicoke Zoning Code requirement of one parking stall at 368 Royal York Road, conditional upon a payment-in-lieu of parking agreement; and recommending that:

- (1) Council exempt the applicant at 368 Royal York Road from the Etobicoke Zoning Code parking requirement of one stall;
- (2) the applicant enter into an Agreement with the City of Toronto for the payment-in-lieu of one parking stall, which in this case amounts to \$2,000.00; 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 Jones, the Etobicoke Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 18, Report No. 5)

5.21 Naming of Park “Flora Voisey Park” and Naming of Street “Yachters Lane” at 2264 Lake Shore Boulevard West (Ward 6 – Etobicoke-Lakeshore)

The Etobicoke Community Council had before it a report (May 27, 2003) from the City Surveyor, Works and Emergency Services, respecting a request made by Marion Dick, on behalf of 15 new home buyers, to name a new public park at this site, rather than a street, after Flora Voisey, which in the view of the home owners would be more suitable in recognizing her contributions to the community; advising that the name “Yachters Lane” has been chosen as the alternative street name as it relates to the nautical theme of the area; and recommending that:

- (1) the private lane system illustrated on Attachment No. 1 be named “Yachters Lane”;
- (2) the proposed public park at the development at 2264 Lakeshore Boulevard West be named after Flora Voisey;
- (3) Clause No. 12, Report No. 11 of Etobicoke Community Council, adopted by City Council on October 1, 2 and 3, 2002, be rescinded;
- (4) Thornridge Homes, be required to pay the costs, estimated to be in the amount of \$210, for the fabrication and installation of a street name sign; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Jones, the Etobicoke Community Council recommended to City Council that, in the event City Council reopens consideration of Clause No. 12 of Report No. 11 of The Etobicoke Community Council, adopted by City Council on October 1, 2 and 3, 2002, the aforementioned report be adopted.

(Clause No. 17, Report No. 5)

5.22 Status Report – Applications to Amend the Etobicoke Official Plan and Zoning Code; Dom Group (Liberty Plaza), 1050 The Queensway File No. TA CMB 2002 0014 (Ward 5 – Etobicoke-Lakeshore)

The Etobicoke Community Council had before it a report (June 3, 2003) from the Director, Community Planning, West District, respecting a pending Ontario Municipal Board hearing regarding an application by the Dom Group (Liberty Plaza) to amend the Etobicoke Official Plan and Zoning Code to permit the redevelopment of an existing commercial site with a mixed-use development on lands known municipally as 1050 The Queensway, located in the north-west quadrant of The Queensway and Islington Avenue; and recommending that:

- (1) if City Council wishes to settle application TA CMB 2002 0014 before the Ontario Municipal Board substantially in accordance with the revised proposal received on May 12, 2003, as described in the body of this report, it should instruct the City Solicitor and Urban Development Services staff to attend the OMB hearing in support of the application, provided that:
 - (a) the applicant, City Solicitor and Urban Development Services agree upon the form and content of the by-laws required to implement the said application, and the matters outlined in this report be resolved prior to the by-laws being enacted by the OMB; and
 - (b) the applicant agrees to adjourn the hearing of its Site Plan approval appeal to allow City staff the opportunity to complete an appropriate review; OR
- (2) if City Council wishes to oppose the revised application for two 10-storey buildings, including the necessary Official Plan and Zoning By-law amendments and Site Plan approval, and wishes to maintain Council's decision of May 21, 22 and 23, 2003, wherein the maximum building height for the subject site was established at 6 storeys, it should request the City Solicitor to attend the hearing in opposition to the revised proposal, and if necessary, to retain such consultants as may be required.

The Etobicoke Community Council also had before it a communication (June 10, 2003) from John Menecola.

The following persons appeared before the Etobicoke Community Council:

- Perry Vagnini;
- Jane Pepino, Aird & Berlis, on behalf of the applicant; and filed a submission;
- Margaret Grainger;
- John Menecola;
- Lucio Vaccarello; and
- Barbara Ferreri.

Councillor Jones moved that the Etobicoke Community Council meet privately respecting the aforementioned report to seek advice that is subject to solicitor-client privilege, in accordance with the Municipal Act.
(Carried)

The Etobicoke Community Council adjourned at 10:55 p.m. and immediately met in camera to consider the aforementioned report.

Present: Councillor Suzan Hall
Councillor Doug Holyday
Councillor Irene Jones
Councillor Peter Milczyn (Chair)

The Etobicoke Community Council adjourned its private meeting at 11:10 p.m. and immediately resumed in public session with the foregoing Members in attendance.

Councillor Milczyn appointed Councillor Hall as Acting Chair and vacated the Chair.

On motion by Councillor Milczyn, the Etobicoke Community Council recommended to City Council the adoption of Recommendation No. (2) contained in the aforementioned report.

Councillor Milczyn resumed the Chair.

(Clause No. 19, Report No. 5)

**5.23 Appeals to the Etobicoke Centre Secondary Plan and Zoning By-law
(Ward 5 – Etobicoke-Lakeshore)**

The Etobicoke Community Council had before it a report (June 6, 2003) from the Director, Community Planning, West District, respecting the appeals that have been filed against the Etobicoke Centre Secondary Plan and Zoning By-law (Official Plan Amendment No. 107-2002 and Zoning By-law No. 1088-2002); and authorization of the settlement and disposition of certain appeals; advising that staff will attend a pre-hearing conference at the Ontario Municipal Board on June 18, 2003, to attempt to narrow the range of outstanding issues and to set dates for further meetings and possibly the hearing; and recommending that:

- (1) the City Solicitor be authorized to support the recommendations of this report at the Ontario Municipal Board (OMB) in relation to the newly enacted Etobicoke Centre Secondary Plan and implementing Zoning By-law and in relation to the

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appeal of the new City of Toronto Official Plan as it pertains to the Etobicoke Centre Secondary Plan area;

- (2) with respect to the appeal by Wittington Properties Limited, staff be authorized to meet with the appellant to discuss a potential settlement and report back to Council at a later date;
- (3) with respect to the appeals by Hollyburn Properties Limited, staff review the site specific development application and report to Council at a later date;
- (4) with respect to the appeal by McDonald's Restaurants of Canada Limited, the appeal by TDL Group Limited and the portion of the appeal related to the prohibition of drive-throughs in Zoning By-law No. 1088-2002 by Canadian Tire Real Estate Limited, Council authorize staff to request the OMB to consolidate these appeals as part of the OMB hearing scheduled in the fall on the City-wide drive-through Zoning By-law;
- (5) should the OMB refuse to consolidate the drive-through appeals noted in Recommendation No. (4) with the City-wide drive-through Zoning By-law OMB hearing, staff recommend that the adopted regulations in Zoning By-law No. 1088-2002 prohibiting drive-throughs be supported before the O.M.B at the respective hearings;
- (6) with respect to the portion of the appeal by Canadian Tire Real Estate Limited on matters other than the drive-through issue, that staff continue to review the site specific development application and report to Council at a later date;
- (7) with respect to the appeal by Prizm Brandz Inc., staff be authorized to present a settlement of the appeal to the OMB, by amending the wording of Section 4.1.2.2.13 of the Secondary Plan to read: "Provided that the development at 5322 Dundas Street West proceeds generally in accordance with a site plan approved by Council on May 21, 22 and 23, 2001, the policies of Section 4.1.2.2.13 shall not apply to this property.";
- (8) with respect to the appeals of 1503342 Ontario Limited regarding the Etobicoke Centre Secondary Plan, the Etobicoke Centre Zoning By-law, application CMB 2002 0013 and application TA SPC 2003 0011, staff be authorized to present a settlement to the OMB on the basis of:
 - (a) zoning being applied to the property that provides:
 - (i) a maximum building height of the tower portion of the building to be 36.0 metres, not including roof-top mechanical equipment having a maximum height of 6.0 metres;

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- (ii) a maximum height of the base portion of the building to be 21.0 metres, not including roof-top mechanical equipment having a maximum height of 4.0 metres; and
 - (iii) a maximum floor space index of 5.75 if the project does not include the City-owned lane to the rear of the property, or a maximum floor space index of 4.98 if the project includes the City-owned laneway; and
- (b) the OMB withholding its Order until the following have been provided:
- (i) an executed Section 37 agreement with the City that secures:
 - (1) a public benefit of \$115,000.00 to the City to be used for public art/streetscape improvements; and
 - (2) other matters not deemed to be a public benefit including: transportation/road improvements that are attributable to the development of the site; alternative rate park dedication of up to 0.5 hectares per 300 units or the equivalent cash-in-lieu; matters relating to environmental site conditions, requirements of the TTC with respect to noise and vibration; and, School Board notice of pending construction; and
 - (ii) an executed site plan agreement for the property;
- (9) with respect to the appeal by Riverbank Properties, staff be authorized to meet with the appellant to discuss a potential settlement and report back to Council at a later date; and
- (10) should any additional owners in the area seek party status at the pre-hearing as appellants, the City Solicitor be authorized to oppose such appellants and defend the Secondary Plan and zoning by-law adopted by Council as modified by the recommendations of this report.

The Etobicoke Community Council also had before it a communication (June 11, 2003) from Barry Horosko, Bratty and Partners.

Barry Horosko, Bratty and Partners, appeared before the Etobicoke Community Council.

Councillor Milczyn appointed Councillor Hall as Acting Chair and vacated the Chair.

On motion by Councillor Milczyn, the Etobicoke Community Council recommended to City Council the adoption of the aforementioned report, subject to:

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- (1) striking out Recommendation No. (2) and inserting in lieu thereof the following:
 - “(2) with respect to the appeal by Wittington Properties Limited, Council authorize staff to present a settlement to the Ontario Municipal Board that implements Ontario Municipal Board Order 0373 issued on March 18, 2003, regarding 7, 9 and 11 Burnhamthorpe Crescent;”;
- (2) amending Recommendation No. (8) by adding the phrase “parapet and stairs” after the words “roof-top mechanical equipment” in subsections (a)(i) and (ii); and
- (3) adding the following new Recommendations:
 - “(8)(c) staff reviewing options to restrict traffic on Clissold Road south of the current public laneway so as to restrict through traffic on Clissold Road; the reviews of options to include a cul-de-sac on Clissold Road at the laneway;” and
 - “(8)(d) up to \$80,000 of the cash-in-lieu of parkland paid from this development being directed to the improvement of Kenway Park.”

Councillor Milczyn resumed the Chair.

(Clause No. 20, Report No. 5)

**5.24 Starling Problem on Hallmark Avenue, south of Valermo Drive
(Ward 6 – Etobicoke-Lakeshore)**

The Etobicoke Community Council had before it the following Motion, together with background information, submitted by Councillor Irene Jones, Ward 5 – Etobicoke-Lakeshore:

WHEREAS three years ago a flock consisting of thousands of starlings started to roost on Hallmark Avenue just south of Valermo Drive; and

WHEREAS birds arrive in July and remain until November, roosting from dusk to dawn; and

WHEREAS this number of birds creates an unbearable noise and also create a lot of waste including droppings, bird feathers, and dead birds, and this waste in turn attracts flies and wasps so that children must remain in their homes as well as carrying and

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promoting a variety of non-healthy organisms such as bacteria, viruses, spores and fungus; and

WHEREAS there are nine City trees and a few private trees affected; and

WHEREAS there are 14 residents who are affected by the waste dropped by the birds to the extent that each must clean up to a half bucket of droppings and hose down the railings, veranda, steps and walkways each day; and

WHEREAS over the past three years the residents have tried a number of approaches to dispel the flock, including tree limb trimming, silver streamers, powerful flashlights randomly shining in the trees, nightly tree banging and fake owls; and

WHEREAS Urban Forestry has recommended that a multiple harassment approach must be used and it must be started immediately when the birds start to roost to prevent the birds from forming an attachment to the site; and

WHEREAS this approach will include installing streamers, playing taped starling distress calls from speakers set up in windows facing the roosting site, placing models of owls, hawks, snakes and cats in the vicinity, making loud persistent noise by banging pots and pans;

NOW THEREFORE BE IT RESOLVED that these residents be immune from prosecution from noise by-laws until this problem is resolved; and

NOW FURTHER BE IT RESOLVED that \$8,000.00 emergency funds be approved to hire a private company to introduce falcons and hawks and to use other humane methods to disperse this flock.

On motion by Councillor Jones, the Etobicoke Community Council:

- (1) recommended that City Council grant an exemption to the City of Toronto Municipal Code, Chapter 591, Section 10, Noise By-law, to the residents of Hallmark Avenue, south of Valermo Drive, for the months of June, July and August, 2003, to address the starling problem; and
- (2) requested the Commissioner of Economic Development, Culture and Tourism to report directly to Council for its meeting on June 24, 2003, on hiring a private company to introduce falcons and hawks and to use other humane methods to disperse the flock of starlings on Hallmark Avenue.

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(Sent to: Commissioner, Economic Development, Culture and Tourism;
c. Councillor Jones, Ward 6 – Etobicoke-Lakeshore; Director, Community
Planning, West District – June 17, 2003)

(Clause No. 15, Report No. 5)

The Etobicoke Community Council adjourned its meeting at 11:15 p.m.

Chair