

April 8, 2013

Rosemary MacKenzie, Committee Administrator
Etobicoke York Community Council
Etobicoke Civic Centre
399 The West Mall
Toronto, ON - M9C 2Y2

RE: Item Number EY23.15, Demolition Control Application – 2968 Islington Avenue

Dear Ms. MacKenzie,

I am writing to you and my fellow Councillors of the Etobicoke York Community Council regarding **Item Number EY23.15, Demolition Control Application – 2968 Islington Avenue**.

In my absence due to a medical condition I am currently receiving attention for, I will not be able to attend the Etobicoke York Community Council meeting on April 9th, 2013. I am requesting that item number EY23.15 be deferred for the following reasons:

1. An open Committee of Adjustment file for the above-mentioned address that will be heard in July 2013, which will consider a variance for commercial-use which, is not a permitted use on the current R4 zoning of the site.
2. An open Property Standards – Etobicoke York Panel Appeal of Order to Comply for the above-mentioned address, scheduled to be heard on April 16th, 2013.
3. There is considerably community opposition to the applicants Committee of Adjustment application.

I am requesting that Item EY23.15 be deferred to after the July 2013 Committee of Adjustment meeting, which will determine if the variance will or will not be granted.

I am attaching to this letter a:

- Staff report from Community Planning that recommends the above-mentioned site go through a process of rezoning to implement the necessary development standards for the proposed use.

- Two community petitions opposed to the proposed changes to the current site. At various community meetings residents made it clear that they do not want to see more commercial uses along Islington Avenue.
- A letter of opposition from an abutting neighbour.
- Two letters from an abutting neighbour requesting a Planning compressive decision be made that will include his adjacent residential property, so that his property does not become landlocked.
- An email from Public Health.
- A letter from Municipal Licensing and Standards.
- A sign-in sheet from a community meeting, held on March 5th, 2013, regarding the above-mentioned property, at which attendance was over 100 people, with 70 people signing in. The community expressed their opposition with how the owner of the above-mentioned property wanted to proceed with the development of 2968 Islington Ave.

It is my hope that you will defer this item to the September 10th, 2013 Etobicoke York Community Council meeting, which will allow me to continue to support my residents and community of Ward 7.

Sincerely,

Councillor Mammoliti
Ward 7 – York West

Cc: Councillor Crisanti
Cc: Councillor Nunziata
Cc: Councillor Di Giorgio
Cc: Councillor Doucette
Cc: Councillor Ford
Cc: Councillor Grimes
Cc: Councillor Holyday
Cc: Councillor Lindsay Luby
Cc: Councillor Milczyn
Cc: Councillor Palacio



STAFF REPORT
Committee of Adjustment
Application

Date:	Tuesday, November 13, 2012
To:	Chair and Committee Members of the Committee of Adjustment Etobicoke York Panel
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7
Reference:	File No.: A603/12EYK Address: 2968 & 2974 Islington Avenue Application to be heard: Thursday, December 6 th @ 1:00 pm

RECOMMENDATION

Should the applicant wish to pursue commercial use on this property, it would be more appropriate to apply for a rezoning application.

APPLICATION

The applicant is requesting permission to construct a new two-storey commercial building to be attached to the existing commercial building known as 2974 Islington Avenue. The addition will consist of three commercial units on the ground floor and office space on the second floor. The existing detached dwelling will be demolished.

COMMENTS

The applicant requests the Committee of Adjustment to approve a minor variance from Section 13.1 of By-law 7625 to allow for commercial uses to operate from the subject site. Commercial units are not listed as a permitted use and do not meet the general intent and purpose of the zoning by-law. A rezoning application would implement the necessary development standards for the proposed use and will take into consideration possible effects onto the abutting neighbouring properties to the rear of the building.

CONTACT

Sabrina Salatino, Assistant Planner
Tel: 416-394-8025
Fax: 416-394-6063
E-mail: ssalati@toronto.ca

Sharon Hill, Acting Director
Community Planning
Etobicoke York District

From: Harminder Singh <harminderksur@gmail.com>
To: <springle@toronto.ca>, <Councilor_Mammoliti@toronto.ca>
Date: 11/28/2012 6:13 PM
Subject: Petition opposing zoning change on 2968 Islington Ave (file number A603/12EYK)
Attachments: Petition for file A603_12EYK.jpg

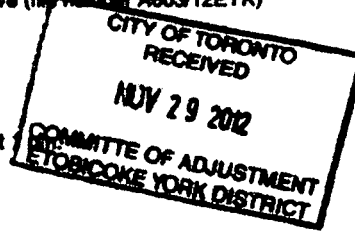
Hello Susan Pringle and Councilor Mammoliti,

Please find attached a petition to oppose the zoning change on 2968 Islington Ave (file number A603/12EYK) meeting to take place Dec 6 at 7:00 PM. This petition is signed by all households that border the property in question. I ask that this petition be taken into consideration as all households are opposing this change.

If you require any further information, please do not hesitate to contact me at 416-276-4711.

Thank you,

Harminder K. Singh
21 Knox Ave.
Toronto, Ont
M8L 2M2



Susanne Pringle
Committee of Adjustment
Etobicoke York Panel
2 Civic Centre Court
Toronto, ON M9C 5A3

TO: Susanne Pringle

Hello, my name is Raj Kumar Pathak. I live at the residence of 15 Knox Ave, Toronto ON M9L 2M2. I am writing this letter to you on behalf of myself, my wife and my family. I had received a letter regarding the new two-storey commercial building to be constructing at 2968 Islington Avenue in however much time. And are thinking of attaching it to the existing commercial building at 2972 Islington Ave. Due to my health issues, I will not be able to attend the meeting on Thursday 7th of March at York Civic Centre. As mentioned in the previous letter, my opinion hasn't changed. I still stand against the idea of constructing a commercial building for the same reasons. I have spoken to my neighbors and they also stand oppose to the idea of the commercial building replacing a house at the above mentioned address.

My family and I strongly feel that the existing detached dwelling shouldn't be demolished and constructed into a commercial building. My backyard is the attached to the property; it's a shared fence. The reason why I am saying this is for the safety of my family. Earlier last year, there was a shooting at 2974 Islington Avenue building. That is also a commercial building. Someone was shot very late at night in the empty parking lot. We heard the gun shots and we were very terrified. After the shooting, there were cops everywhere in this neighborhood, searching backyards, streets; it was all over the news, on most of the news channels. Having experienced something like that in my neighborhood, I feel the fear for just more trouble in empty parking lots.

I have been living at this residence for more than 10 years now, I moved into this neighborhood because of the security & safety. Every weekend people come in their cars very late at night, play loud music, cause scenes in that parking lot of 2972 Islington Ave and disrupt the neighborhood. The empty parking lots invite strangers or "trouble makers" to come and disrupt people at night. By constructing another commercial building you will be just creating another empty parking lot at night for more people to come and disrupt peace. I have 4 daughters and I worry for their safety. I don't want to live in a bad neighborhood where we can't even feel safe in our own backyard. I will not only loose the safety with a commercial building right in my backyard but loose the privacy as well. My grandson plays in the backyard but I wouldn't feel safe for him to do with another parking lot right in my backyard. If you would like build another house over it, that way it will be a private property where trouble makers can't come at night and cause trouble for everyone. After that shooting, I strongly recommend to not build a commercial building in this family oriented neighborhood. We all have children and we all just want a safe neighborhood where we can step out and not feel the fear of another shooting. Please take this into consideration. If you continue on this construction, might as well purchase my house too so I can move into safer neighborhood. Feel free to contact me at (416)-743-7153. Thank for your time.

P.S: To get more information on this I had called in at Etobicoke York Panel and spoke to one the staff members named Lisa. She was well spoken, very polite and very patiently answered my needs. I just wanted to thank Lisa as well for that.

Sincerely,

Mr. & Mrs. Raj Kumar Pathak
Mr. Ashok Kumar Pathak
15 Knox Ave
Toronto, ON
M9L 2M2

We, the undersigned, do not support the building change at 2968 and 2974 Irvington Avenue as outlined by the Committee of Adjustments notice in file number A603/22EYK.

SIGNATURE	NAME and DATE	ADDRESS	PHONE NUMBER

9 Signatures Submitted
and on file in the City
Clark's Office

Susanne Pringle
Manager & Deputy Secretary Treasurer
Committee of Adjustment
Etobicoke York Panel
2 Civic Centre Court
Toronto, ON M9C 5A3
TEL: 416-394-8060

To Susanne Pringle,

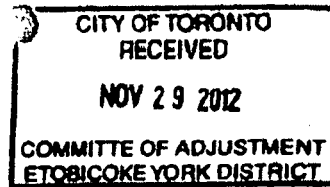
We live in the neighborhood of Knox Ave. And we strongly stand oppose the idea of a new two-storey commercial building to be attached to the existing commercial building 2974 Islington Ave. The existing detached dwelling at the address of 2968 Islington Ave will be demolished.

Thanks for your consideration. Below are signatures and addresses of people of the neighborhood that stand against this idea.

Sincerely

Approximately 19 Signatures
Submitted and on file
in the City Clerk's office

Susanne Pringle
Manager & Deputy Secretary Treasurer
Committee of Adjustment
Etobicoke York Panel
2 Civic Centre Court
Toronto, ON M9C 5A3
Tel: 416-394-8060



TO: Susanne Pringle

Hello, my name is Raj Kumar Pathak. I live at the residence of 15 Knox Ave, Toronto ON M9L 2M2. I am writing this letter to you on behalf of myself, my wife, my brother & my family. I had received a public hearing notice regarding the new two-storey commercial building to be constructing at 2968 Islington Avenue in however much time. And are thinking of attaching it to the existing commercial building at 2972 Islington Ave, I think there was an error on the public hearing notice and the new commercial building isn't getting attached to 2974 Islington Ave but to attached to 2972 Islington Ave. Due to my heart surgery, I will not be able to attend the public hearing meeting regarding this matter therefore I am writing a letter to express my views on this case.

My family and I strongly feel that the existing detached dwelling shouldn't be demolished and constructed into a commercial building. My backyard is the attached to the property, it's a shared fence. The reason why I am saying this is for the safety of my family. Earlier in the year, there was a shooting at 2972 Islington Avenue building, which is also a commercial building. Someone was shot very late at night in the empty parking lot. We heard the gun shots and we were very terrified. After the shooting, there were cops everywhere in this neighborhood, searching backyards, streets; it was all over the news, on most of the news channels. Having experienced something like that in my neighborhood, I feel the fear for just more trouble in empty parking lots.

I have been living at this residence for more than 10 years now, I moved into this neighborhood because of the security & safety. Every weekend people come in their cars very late at night, play loud music, cause scenes in that parking lot of 2972 Islington Ave and disrupt the neighborhood. It no longer feels like a neighborhood where families can feel safe. The empty parking lots invite intruders or "trouble makers" to come and disrupt people at night. By constructing another commercial building you will be just creating another empty parking lot at night for more people to come and disrupt peace. I have 4 daughters and I worry for their safety. I don't want to live in a bad neighborhood where we can't even feel safe in our own backyard. I will not only lose the safety with a commercial building right in my backyard but lose the privacy as well. My grandson plays in the backyard but I wouldn't feel safe for him to do with another parking lot right in my backyard. If you would like build another house over it, that way it will be a private property where trouble makers can't come at night and cause trouble for everyone. After that shooting, I strongly recommend to not build a commercial building in this family oriented neighborhood. We all have children and we all just want a safe neighborhood where we can step out and not feel the fear of another shooting. Please take this into consideration. I am already a heart patient; I don't want to cause more damage to my health by worrying more for the safety of my family. If you continue on this construction, might as well purchase my house too so I can move into safer neighborhood. Feel free to contact me at (416)-743-7153. Thank for your time. **Call 416 529 5782**

Sincerely,

RAJ KUMAR PATHAK

SUNITA PATHAK

ASHOK KUMAR PATHAK

Mr. & Mrs. Raj Kumar Pathak
Mr. Ashok Kumar Pathak
15 Knox Ave
Toronto, ON
M9L 2M2
Tel: 416-743-7153

March 5, 2013

Manager, Committee of Adjustment
Etobicoke York Panel
2 Civic Centre Court
Toronto, Ontario
M9C 5A3

Re: File Number: a603/12EYK
471477 Ontario Ltd.
Property Address: 2968 Islington Ave., Toronto

Dear: Ms. Susanne Pringle,

I am the owner of 2966 Islington Avenue, the property immediately to the south of the subject application.

The application by 471477 Ontario Ltd. is back in front of this Committee. I am still opposed to this application for the same reasons as stated in my December 3, 2012 letter (copy enclosed).

At the last Committee of Adjustment meeting of December 6, 2012, the Applicant's submission was deferred. The Applicant was to go back to City Planning and proceed with a proper zoning application. Clearly, the Applicant has refused this process.

If there is some change in use of the Applicant's property, I would like my property at 2966 Islington Avenue involved and a comprehensive decision made at the same time. I would like to be included in the discussions. If not, my property would end-up being landlocked, virtually undevelopable and devalued. Therefore, this Application should be deferred and sent back to City Planning.

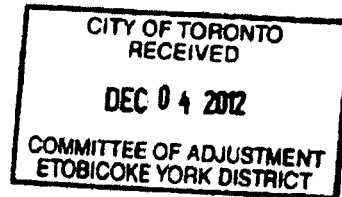
If the Applicant should for any reason proceed to the Ontario Municipal Board, then City Planning must send legal representation to the OMB to support City Planning recommendations.

Loris Moretto, CGA
136 Barrhill Road
Maple, Ontario
L6A 1H6

Mobile (416) 895-8148
Home: (905) 832-8712

December 3, 2012

Manager, Committee of Adjustment
Etobicoke York Panel
2 Civic Centre Court
Toronto, Ontario
M9C 5A3



Re: File Number: A603/12EYK
471477 Ontario Ltd.
Property Address: 2968 Islington Ave., Toronto

Dear: Ms. Susanne Pringle,

I am the owner of 2966 Islington Avenue, the property immediately to the south of the subject application. My property is a 40 by 150 foot lot with a single family dwelling on it, zoned R4. I have owned the property since September 7, 1978.

The subject application by 471477 Ontario Ltd. proposes to construct a two storey commercial building addition on 2968 Islington Avenue despite the fact that their property is zoned R4. This project would result in an unacceptable impact on my property and I do not agree with their submission. This project was never discussed or reviewed with me. I simply received a public hearing notice from the City of Toronto planning mailed out on November 12, 2012.

The issues and concerns that I have with the subject application are:

1. This application is not for a minor variance application. It proposes to construct a commercial building addition requiring a C1 zoning on a residential designated property that is zoned R4. It requests changing the use of this property, even though C1 uses are not listed as permitted uses in a R4 zone. There has not been sufficient justification as to why the variances are justified or appropriate for the proposed development of this property. I request that the application be properly reviewed by planning in order to protect my interests on my property.
2. The visual impact needs to be considered. The project is massive in size and does not provide an adequate buffer zone, tier ring, angular plane setback, landscaping, etc. with my property. The side yard setbacks proposed of 1.544 metres are less than the minimum allowed for a commercial project when abutting onto a residential property. The 8.513 metre high project would cast a shadow onto my property, cut out the natural sunlight, bring noise, pedestrian traffic and parking problems. The building will block the total view of all my north-side windows, specifically the kitchen, washroom, and all three basement windows. The back two bedroom windows would be partially obstructed. (See photo of 2966 Islington Avenue)
3. The proposed project will land lock my property and would not allow for any future redevelopment of any kind. (See photo of proposed project from the road view). It would greatly devalue my property and not complement it at all. I have spent considerable time and money up keeping my premises. In the last two years, I have spent in excess of \$50,000.00 in property upgrades. I have replaced all the windows, doors, soffits, eaves troughs, asphalt driveway as well as completed kitchen and electrical panel upgrades.

4. As my house is fully tenanted, I require that my tenants maintain a quiet enjoyment of the residential property. I fear that the proposed project would disturb my tenants and that I will not be able to receive the same rental income that I currently receive.

In view of the above, this application should go through a proper rezoning application. This request is in line with city planning staff's report to the Committee of Adjustment dated November 13, 2012. The reports recommendation and comments are,

"Should the applicant wish to pursue Commercial use on this property, it would be appropriate to apply for a rezoning application."

"Commercial units are not listed as a permitted use and do not meet the general intent and purpose of the zoning by-law. A rezoning application would implement the necessary development standards for the proposed use and will take into consideration possible effects onto the abutting neighbouring properties to the rear of the building."

In conclusion, there are numerous issues to be resolved before this project should be allowed to proceed. I ask that these concerns be addressed properly, and a review undertaken immediately with planning staff and myself.

I wish to thank you in advance for your co-operation in this matter.

Yours truly,

Loris Moretto, CGA
136 Barrhill Road
Maple, Ontario
L6A 1H6

Mobile: (416)895-8149
Home: (905)832-8712

From: Helen Tolvaia (David McKeown)
To: Alessandro Barbieri
Date: Friday, December 7, 2012 3:53 PM
Subject: Re: 2968 Islington Ave

Hello Alessandro,

On behalf of Dr. McKeown, thank you for the email. Please note that we have checked with our Healthy Environments team and they do not have any record/file on this property. If you haven't yet, we would suggest that you contact Municipal Licensing and Standards since they do follow-up/investigate matters concerning the state/condition/upkeep of private property.

Thank you,
Helen Tolvaia (for Dr. McKeown)
Assistant to the Medical Officer of Health

>>> Alessandro Barbieri 12/6/2012 4:56 pm >>>
Hello David,

Attached please find a letter from Councillor Mammoliti.

Alex

Alessandro Barbieri, Executive Assistant
Councillor Giorgio Mammoliti
Ward 7, York West
City Hall Office, B27

416.397.9242
www.giorgiomammoliti.ca



Municipal Licensing and Standards
John Livey, Deputy City Manager

City Hall
100 Queen Street West,
16th Floor, West Tower,
Toronto, Ontario M5H 2N2

Tracey Cook
Executive Director

Tel: 416-392-8445
Fax: 416-397-5463
tcook2@toronto.ca
toronto.ca

January 17, 2013

Councillor, Giorgio Mammoliti
Toronto City Hall, 2nd Floor, Suite B27
100 Queen Street West
Toronto, ON M5H 2N2

Re: 2968 Islington Avenue

Dear Councillor Mammoliti,

This is in response to your letter of December 6th, 2012. Please excuse the delay in responding.

Our records indicate a history of Zoning, Waste and Property Standards violations at 2968 Islington Avenue, between June 2003 and September 2011. There is no record of investigation activity for any licenced business between 2969 and 2974 Islington Avenue. Any complaints of illegal drinking and drug dealing activity may have been directed to Toronto Police Services.

In October 2003, one zoning related violation was investigated with regards to improper storage of construction materials, front yard and commercial vehicle parking. A Notice of Violation was issued and compliance was received.

Five waste complaints were investigated between May 2004 and February 2011. The violations included; storage of old cars, waste and debris, wood and junk. A Notice of Violation was issued and complied with in each investigation.

Five property standards complaints were investigated between June 2003 and September 2011. These investigations resulted in Notices of Violations being issued and one Order as a result of the condition of the building; all notices issued were complied with. The Order is currently outstanding and the expiry date has been extended as the property has been sold and an application to demolish the dwelling is under review with the Building Division.

On January 9th, 2013 a follow up inspection was completed at 2968 Islington Avenue and the surrounding commercial area; there were no additional violations noted. The building is vacant and perimeter secured with a temporary fence

We will continue to monitor this property to ensure it is clean and secure.

Please contact me if you have any further questions.

Sincerely,

Tracey Cook
Executive Director



Community Meeting re: 2968 Islington Ave – Mar 5 2013 – St. Roch's Parish, 2889 Islington Ave – 7:00 pm

Please note: your information will be added to our office contact list in order to keep our records up to date

Name

Address

Approximately 70 signatures
Submitted and on file in
the City Clerk's office.