



## CITY COUNCIL

### A G E N D A

<b>Date of Meeting:</b>	<b>Tuesday, February 16, 2005</b>	<b>Enquiry:</b>	<b>Marilyn Toft</b>
<b>Time:</b>	<b>9:30 a.m.</b>		<b>Manager, Council Secretariat Support</b>
<b>Location:</b>	<b>City Hall Council Chamber</b>		<b>Tel. (416) 392-7032</b>
	<b>100 Queen Street W., Toronto</b>		<b>(mtoft@toronto.ca)</b>

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O CANADA.

MOMENT OF SILENCE AND PERSONAL REFLECTION.

CONFIRMATION OF MINUTES.

#### A. COMMUNICATIONS.

(1) *Consider with Etobicoke York Community Council Report 9 (2004), Deferred Clauses 1c and 2c, headed "Request for Exemption to Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 22 Nairn Avenue (Ward 1 - Davenport)" and "Request for an Exemption to Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 24 Nairn Avenue (Ward 17 - Davenport)", respectively:*

(a) Communications received from the following:

- (1) (undated) from P. Halford;
- (2) (November 22, 2004) from Francesco Franco and Marianne Corigliano Franco;
- (3) (November 16, 2004) from Domingos and Maria E. Cavalho;
- (4) (November 22, 2004) from Domenico Paolo;
- (5) (November 15, 2004) from Mr. and Mrs. Conforti;
- (6) (November 22, 2004) from Mr. and Mrs. Fernando Costa;
- (7) (November 22, 2004) from Jose C. Silva;
- (8) (November 22, 2004) from Armando Almeida;
- (9) (November 22, 2004) from Sonia Silva;
- (10) (November 17, 2004) from Duarte Darcy;
- (11) (November 22, 2004) from Mr. and Mrs. Antonio Cardoso; and
- (12) (December 6, 2004) from the Committee for a Safer Nairn of Corso Italia, attaching 43 individually signed letters.

- (2) *Consider with Board of Health Report 1, Deferred Clause 1a, headed “Further Issues Relating to the Implementation of the Pesticide By-law”*
- (a) Communications received from the following:
- (1) (January 17, 2005) from Brad Hunter, President, Ontario Association of Cemetery and Funeral Professionals;
  - (2) (January 17, 2005) from Gary R. Carmichael, Vice-President, Government and Corporate Affairs, Arbor Memorial Services Inc.;
  - (3) (January 28, 2005) from Mike Christie;
  - (4) (January 29, 2005) from K. Jean Cottam;
  - (5) (January 30, 2005) from Judy Roberts, President, Judy Roberts & Associates/Associates Inc.; and
  - (6) (January 30, 2005) from Lesley Forrester.
- (3) *Consider with Etobicoke York Community Council Report 1, Deferred Clauses 5a and 6a, headed “Request for All-Way Stop Controls - The Kingsway at Prince George Drive and The Kingsway at Twyford Road (Ward 4 - Etobicoke Centre)” and “Request for All-Way Stop Controls - The Kingsway at Edenbridge Drive/Wimbledon Road (Ward 4 - Etobicoke Centre)”, respectively:*
- (a) Communications received from the following:
- (1) (undated) from Stephen Thiele;
  - (2) (January 31, 2005) from Doretta Wilson; and
  - (3) petition containing approximately 99 signatures, submitted by Councillor Gloria Lindsay Luby.
- (4) *Consider with North York Community Council Report 1, Deferred Clause 35a, headed “Request for Poll - Speed Hump Plan - Hillhurst Blvd., west of Bathurst Street (Ward 15 - Eglinton-Lawrence)”*
- (a) a Toronto Sun article dated January 24, 2005, entitled “Yes, speed kills – but so do speed humps”, submitted by Councillor Rob Ford.
- (5) *Consider with Toronto and East York Community Council Report 9, Deferred Clause 9b, headed “Final Report - Application to Amend the Official Plan and Zoning By-law – 40 The Esplanade (Toronto Centre-Rosedale, Ward 28)”*
- (a) (February 2, 2005) from Lorraine Greey, President, Greey Esplanade Limited.

- (6) *Consider with Toronto and East York Community Council Report 2, Clause 1, headed “Final Report - Rezoning Application - 301 Cedarvale Avenue (Beaches-East York, Ward 31)”*
- (a) (February 8, 2005) from Andjelka Stojakovic.
- (7) *Consider with Toronto and East York Community Council Report 2, Clause 3, headed “Status Report and Request for Directions - Rezoning and Official Plan Amendment - 730 Dovercourt Road; 323 and 357 Rusholme Road (Davenport, Ward 18)”*
- (a) (February 7, 2005) from Cheryl Hawkes.
- (8) *Consider with Toronto and East York Community Council Report 2, Clause 26, headed “Installation of Traffic Control Signals and Speed Humps - Spadina Road and Kilbarry Road/Burton Road, Kilbarry Road and Burton Road, between Vesta Drive and Dunloe Road (St. Paul’s, Ward 21 and St. Paul’s, Ward 22)”*
- (a) Communications received from the following:
- (1) (February 9, 2005) from Andrew Diamond and Linda Pincott Kitchen;  
and
- (2) (February 9, 2005) from Michael and Judy Hatch.
- (9) *Consider with Toronto and East York Community Council Report 2, Clause 42, headed “Decision of the Agnes Macphail Recognition Committee”*
- (a) (February 10, 2005) from the North York Community Council forwarding the recommendation from its meeting of February 8, 2005.

B. PETITIONS.

C. ENQUIRIES AND ANSWERS.

D. PRESENTATION OF DEFERRED CLAUSES, REPORTS OF THE STANDING COMMITTEES, COMMUNITY COUNCILS AND OTHER COMMITTEES.

Deferred Clauses from October 26, 27 and 28, 2004:

Policy and Finance Committee Report 8, Clause [1d](#)

Administration Committee Report 8, Clause [8d](#)

Board of Health Report 7, Clause [1d](#)

Deferred Clauses from November 30, December 1 and 2, 2004:

Scarborough Community Council Report 8, Clause [7c](#)  
Toronto and East York Community Council Report 9, Clause [9b](#)

Deferred Clauses from December 6, 2004:

Policy and Finance Committee Report 9, Clause [41c](#)  
Audit Committee Report 6, Clause [6c](#)  
Works Committee Report 10, Clause [10c](#)  
Etobicoke York Community Council Report 9, Clauses [1c](#) and [2c](#)

Deferred from February 1, 2 and 3, 2005:

Policy and Finance Committee Report 2, Clauses [6a](#), [14a](#) and [24a](#)  
Administration Committee Report 1, Clauses [2a](#) and [5a](#)  
Audit Committee Report 1, Clause [1a](#)  
Board of Health Report 1, Clause [1a](#)  
Community Services Committee Report 1, Clause [3a](#)  
Community Services Committee Report 2, Clause [1a](#)  
Economic Development and Parks Committee Report 1, Clauses [1a](#) and [9a](#)  
Economic Development and Parks Committee Report 2, Clause [6a](#)  
Planning and Transportation Committee Report 1, Clauses [1a](#) and [2a](#)  
Works Committee Report 2, Clause [3a](#)

Etobicoke York Community Council Report 1, Clauses [5a](#), [6a](#), and [25a](#)  
North York Community Council Report 1, Clauses [10a](#), [30a](#) and [35a](#)  
Scarborough Community Council Report 1, Clauses [1a](#) and [16a](#)  
Toronto and East York Community Council Report 1, Clauses [27a](#), [28a](#), [31a](#), [41a](#), [42a](#),  
[43a](#), [45a](#), [46a](#) and [86a](#)

New Community Council Reports:

Etobicoke York Community Council [Report 2](#)  
North York Community Council [Report 2](#)  
Scarborough Community Council [Report 2](#)  
Toronto and East York Community Council [Report 2](#)

New Additional Committee Report:

Board of Health [Report 2](#)

E. DECLARATIONS OF INTEREST.

**Members of Council are requested to indicate the Report and Clause number wherein they have an interest together with the nature of the interest.**

F. CONSIDERATION OF MOTIONS AND OTHER MATTERS PREVIOUSLY CALLED AND NOT DISPOSED OF.

(1) **Consolidating the Naming of the Community Council Boundaries with the Service Districts of the City of Toronto**

*Moved by Councillor Milczyn, seconded by Councillor Holyday*

(2) **Request to Renew the Facade Program for York Eglinton Business Improvement Area**

*Moved by Councillor Moscoe, seconded by Councillor Palacio*

(3) **Waiving of fees for Community Festivals on St. Clair Avenue West**

*Moved by Councillor Mihevc, seconded by Councillor Moscoe*

(See attachment – Notices of Motions appearing under Item F.)

G. CONSIDERATION OF REPORTS OF STANDING COMMITTEES, COMMUNITY COUNCILS AND OTHER COMMITTEES.

H. INTRODUCTION AND CONSIDERATION OF GENERAL BILLS NOT PREVIOUSLY INTRODUCED.

**Bill No. 112** To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Livingstone Avenue.

*Authority North York Community Council Report 1, Clause 23, as adopted by City of Toronto Council on February 1, 2 and 3, 2005.*

**Bill No. 113** To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Livingstone Avenue.

*Authority North York Community Council Report 1, Clause 23, as adopted by City of Toronto Council on February 1, 2 and 3, 2005.*

**Bill No. 114** To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The Kingsway and Twyford Road.

- Authority* *Etobicoke York Community Council Report 1, Clause 5a, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 115** To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The Kingsway and Twyford Road.
- Authority* *Etobicoke York Community Council Report 1, Clause 5a, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 116** To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The Kingsway at Edenbridge Drive.
- Authority* *Etobicoke York Community Council Report 1, Clause 6a, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 117** To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The Kingsway at Edenbridge Drive.
- Authority* *Etobicoke York Community Council Report 1, Clause 6a, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 118** To amend City of Toronto Municipal Code Chapter 612, Pesticides, Use Of, to clarify §§612-1B(2)(d).
- Authority* *Board of Health Report 1, Clause 1a, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 119** To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting fees for body rub parlour owners and operators.
- Authority* *Policy and Finance Committee Report 5, Clause 11, as adopted by City of Toronto Council on June 22, 23 and 24, 2004.*
- Bill No. 120** To amend By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Brentcliffe Road.
- Authority* *North York Community Council Report 1, Clause 30a, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 121** To adopt a new City of Toronto Municipal Code Chapter 485, Graffiti.
- Authority* *Planning and Transportation Committee Report 1, Clause 1a, as adopted by City of Toronto Council on February 16, 2005.*

I. MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN.

(1) **Support for International Car Free Day**

*Moved by Councillor Giambrone, seconded by Councillor Fletcher*

(See attachment – Notice of Motion appearing under Item I.)

J. NOTICES OF MOTIONS.

K. INTRODUCTION OF BILL TO CONFIRM THE PROCEEDINGS OF COUNCIL AT THIS MEETING.

L. ADJOURNMENT.

**O CANADA**

O Canada! Our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North, strong and free!  
From far and wide, O Canada, we stand on guard  
for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

O Canada! Terre de nos aïeux!  
Ton front est ceint de fleurons glorieux!  
Car ton bras sait porter l'épée, il sait porter  
la croix!  
Ton histoire est une épopée Des plus  
brillants exploits.  
Et ta valeur, de foi trempée,  
Protégera nos foyers et nos droits,  
Protégera nos foyers et nos droits.



**SUPPLEMENTARY AGENDA No. 1  
For Consideration by  
The Council of the City of Toronto  
February 16, 2005**

A. COMMUNICATIONS.

*(Communications (1)(a) to (9)(a) were distributed with the main agenda.)*

(5) *Consider with Toronto and East York Community Council Report 9, Deferred Clause 9b, headed "Final Report - Application to Amend the Official Plan and Zoning By-law – 40 The Esplanade (Toronto Centre-Rosedale, Ward 28)"*

(b) Communications received from the following:

- (1) (February 10, 2005) from Julie Beddoes, Vice-President, External, Gooderham & Worts Neighbourhood Association;
- (2) (February 12, 2005) from Dorothy Creaser;
- (3) (February 12, 2005) from Emma McBey;
- (4) (February 12, 2005) from Joan Campbell, Director at Large (Communications) and Development Committee member, St. Lawrence Neighbourhood Association;
- (5) (February 12, 2005) from Frank Touby;
- (6) (February 13, 2005) from Michael Waring;
- (7) (February 13, 2005) from Stuart and Aurelia Hensman;
- (8) (February 13, 2005) from Sally Doulis;
- (9) (February 13, 2005) from Hugh-Francis Burns, Vice President External and Chair of the Development Committee, St. Lawrence Neighbourhood Association;
- (10) (February 14, 2005) from Dennis Glasgow;
- (11) (February 14, 2005) from Dwight Peters;
- (12) (February 14, 2005) from Renate Kozarov;
- (13) (February 14, 2005) from Susan Mcleod;
- (14) (February 14, 2005) from Ken Smith;
- (15) (February 14, 2005) from Paul M.R. Smith, President, St. Lawrence Condominium Ratepayers Association;
- (16) (February 14, 2005) from Christopher King;
- (17) (February 14, 2005) from Ken Smith;
- (18) (February 14, 2005) from Michael Comstock, Comstock Enterprises Inc.;
- (19) (February 15, 2005) from Adam Parkin;
- (20) (February 15, 2005) from Sybil Wa, Diamond and Schmitt Architects Incorporated; and
- (21) (February 15, 2005) from Lorraine Greey, President, Greey Esplanade



Limited.

- (10) *Consider with North York Community Council Report 2, Clause 14, headed “Refusal Report - OPA and Rezoning Application - 04 194214 NNY 33 OZ - 2041098 Ontario Ltd. - (El-Ad Group Canada Inc.) – 25, 100, 110 & 125, Parkway Forest Drive, 120 & 130 George Henry Blvd., 32-50, 65 & 80 Forest Manor Road (Ward 33 – Don Valley East)”*
- (a) (January 28, 2005) from Grace Frappier.
- (11) *Consider with North York Community Council Report 2, Clause 15, headed “Final Report - Applications to Amend the Zoning By-law and Approve a Draft Plan of Subdivision - UDZ-97-36 and UDSB-1233 - Elderbrook Developments Ltd. - Rafael + Bigauskas, Architects - Northwest Corner of Finch Avenue West and York Gate Boulevard (Ward 8 - York West)”*
- (a) (February 14, 2005) from John M. Alati, Davies Howe Partners.
- (12) *Consider with Board of Health Report 7, Deferred Clause 1(d), headed “Shade Policy and Technical Considerations for the City of Toronto”*
- (a) (February 15, 2005) from the Board of Health requesting that the recommendations on Shade Policy be dealt with, as a matter of urgency.

**H. INTRODUCTION AND CONSIDERATION OF GENERAL BILLS NOT PREVIOUSLY INTRODUCED.**

**Bill No. 122** To permanently close a portion of the public lane known as Stanley Terrace located at the rear of 720 Wellington Street West and 17-21 Stafford Street.

*Authority Toronto and East York Community Council Report 2, Clause 6, as adopted by City of Toronto Council on February 16, 2005.*

**Bill No. 123** To amend By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Leacrest Road.

*Authority North York Community Council Report 2, Clause 17, as adopted by City of Toronto Council on February 16, 2005.*

**Bill No. 124** To amend City of Toronto Municipal Code Chapter 441, Fees, by amending Section 441-11, entitled Planning Application Fees.

*Authority Planning and Transportation Committee Report 1, Clause 2a, as adopted by City of Toronto Council on February 16, 2005.*

- Bill No. 125** To amend By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Aldwych Avenue.
- Authority* *Toronto and East York Community Council Report 2, Clause 23, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 126** To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bartlett Avenue North.
- Authority* *Etobicoke York Community Council Report 2, Clause 15, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 127** To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Edith Drive.
- Authority* *North York Community Council Report 2, Clause 9, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 128** To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the rear yard fence on the property municipally known as 14 Breen Crescent from the maximum height requirements.
- Authority* *North York Community Council Report 1, Clause 53, as adopted by City of Toronto Council on February 1, 2 and 3, 2005.*
- Bill No. 129** To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
- Authority* *Toronto and East York Community Council Report 2, Clause 27, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 130** Delegation to the Assessment Review Board of the powers and functions of Council under section 334 of the Municipal Act, 2001, and under sections 2, 3 and 4 of Ontario Regulation 399/03.
- Authority* *Administration Committee Report 1, Clause 7, as adopted by City of Toronto Council on February 1, 2 and 3, 2005.*
- Bill No. 131** To amend By-law No. 280-2004 to extend the expiration of a part lot control exemption for 445 – 449 Royal York Road from Part Lot Control.
- Authority* *Etobicoke York Community Council Report 2, Clause 19, as adopted by City of Toronto Council on February 16, 2005.*
- Bill No. 132** To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Brooklyn Avenue and Markham Street.

*Authority*      *Toronto and East York Community Council Report 2, Clause 18, as adopted by City of Toronto Council on February 16, 2005.*



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**SUPPLEMENTARY NOTICES OF MOTIONS UNDER J**

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**COUNCIL MEETING – FEBRUARY 16, 2005**

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**CITY CLERK**

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**Notices of Motions Appearing Under Item J**

- 1 Proposed Naming of the Unopened Section of Bremner Boulevard, between Spadina Avenue and Bathurst Street, “Fort York Boulevard” and Rescinding Prior Approval to Name This Unopened Section “Nelson Mandela Boulevard”**  
*Moved by Councillor Chow, seconded by Deputy Mayor Pantalone*
- 2 Committee of Adjustment Decision Regarding 116 Barton Avenue**  
*Moved by Councillor Chow, seconded by Deputy Mayor Pantalone*
- 3 Creating an Aerospace Cluster in the Downsview Area**  
*Moved by Councillor Augimeri, seconded by Councillor Minnan-Wong*
- 4 Disclosure of Proponents’ Responses to Certain Sections of Request for Proposal (RFP) 3401-04-3216 - Supply, Delivery and Installation of Desktop and Notebook Computers and Related Products and Services**  
*Moved by Councillor Milczyn, seconded by Councillor Del Grande*
- 5 204 Stibbard Avenue – Parking Pad**  
*Moved by Councillor Jenkins, seconded by Councillor Stintz*
- 6 Event of Community Significance for Liquor Licensing Purposes - Eglinton Way Business Improvement Area (BIA) – Street Festival (Ward 16 and Ward 22)**  
*Moved by Councillor Stintz, seconded by Councillor Walker*
- 7 Amendment to Starting Time for Turn Prohibition on Lawrence Avenue West at Rosewell Avenue from 4:00 p.m. to 3:00 p.m. (Ward 16)**  
*Moved by Councillor Stintz, seconded by Councillor Jenkins*
- 8 121 Industry Street – Application for Demolition Approval (Ward 12 - York South-Weston)**  
*Moved by Councillor Di Giorgio, seconded by Councillor Nunziata*
- 9 Sole Source Contract for Processing of Source Separated Organics**  
*Moved by Councillor Pitfield, seconded by Councillor Giambrone*
- 10 Request for Direction Report - 53 Kenhatch Boulevard**  
*Moved by Councillor Balkissoon, seconded by Councillor Altobello*
- 11 New City of Toronto Act – Governance Changes**  
*Moved by Councillor Holyday, seconded by Councillor Ford*
- 12 Planning Review Principles and Request for Direction for 430 King Street West - King Spadina Part II Plan Area – East of Spadina Avenue (Trinity-Spadina – Ward 20)**  
*Moved by Councillor Chow, seconded by Deputy Mayor Pantalone*
- 13 Ontario Municipal Board Hearing – 124 Dowling Avenue**  
*Moved by Councillor Watson, seconded by Councillor Rae*
- 14 650-672 Sheppard Avenue East - Ontario Municipal Board Decision/Order No. 0150 Granting Exclusions to Gross Floor Area Definition – Appeal to Divisional Court – Offer to Settle**  
*Moved by Councillor Shiner, seconded by Deputy Mayor Feldman*

- 15 **Ontario Municipal Board Hearing Regarding 136 Silver Birch**  
*Moved by Deputy Mayor Bussin, seconded by Councillor Rae*
- 16 **Decision of the Superior Court of Justice to Quash By-law No. 906-2003, in the Case of Toronto Taxi Alliance v. City of Toronto**  
*Moved by Councillor Altobello, seconded by Councillor Watson*
- 17 **Promoting Environmentally-Friendly Buildings in Toronto**  
*Moved by Councillor Moscoe, seconded by Councillor De Baeremaeker*