

## **TORONTO CITY COUNCIL DECISION DOCUMENT MEETING ON SEPTEMBER 28, 29 AND 30, 2005**

City Council's actions on each Clause in the following Reports and Notices of Motions considered at the meeting are contained in this Decision Document. Declarations of Interest, if any, are included and all additional material noted in this document is on file in the City Clerk's Office, Toronto City Hall. Please refer to the Council Minutes for the official record of Council's proceedings.

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**Deferred Clauses:****Policy and Finance Committee Report 7****38a Reduction of Solid Waste Bag Limit from Six to Four Items in Single-Family Homes**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That:

- (1) City Council support, in principle, an initiative of positive recognition for our taxpayers in the City of Toronto to continue to reduce solid waste, and the Acting General Manager, Solid Waste Management, be requested to report to the Works Committee on the establishment of this initiative;
- (2) the City’s exemption program for extraordinary household situations, such as large families, where the household is unable to manage their household residual solid waste within the set-out limit while utilizing the City’s mandatory diversion programs, be reviewed to determine the most appropriate system, this review to include the present geographic and calendar exceptions to accommodate feast and holy day periods; and
- (3) the Acting General Manager, Solid Waste Management, be requested to:
  - (a) increase the communication and education of the cart program, in the event that a big blue bin pilot program is implemented City wide; and
  - (b) report to the Works Committee in April 2006 and April 2007 on the progress made on the increase in citizen source separation of waste and by-law compliance.”

This Clause, as amended, was adopted by City Council.

**45a Building Condition Assessment and Analysis of Required Capital Reserve Funds in the Toronto Community Housing Corporation’s Downloaded Social Housing Portfolio**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

Council also adopted the following procedural motion:

“That:

- (1) all motions moved at the September 28-30, 2005 meeting of City Council on this Clause be forwarded to the next regular meeting of Council on October 26, 2005, and these motions be deemed to be moved; and
- (2) the speaker’s list from the September 28-30, 2005 meeting of City Council on this Clause be carried forwarded to the next regular meeting of Council on October 26, 2005, and be adopted for continuing the debate on this matter at that meeting, and that a provision be allowed for any Members who were not on the speaker’s list to add their names.”

Council also considered the following:

- Briefing Note (September 26, 2005) from the Chief Executive Officer, Toronto Community Housing Corporation [Communication 22(a)].

### **Administration Committee Report 6**

#### **3a Council Resolution on Support for Undocumented Workers**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

#### **28a Court Service Agreement with GO Transit for Provincial Offences Fines**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

Council also adopted the following procedural motion:

“That all motions moved at the September 28-30, 2005 meeting of City Council on this Clause be forwarded to the next regular meeting of Council on October 26, 2005, and these motions be deemed to be moved.”

### **Audit Committee Report 3**

#### **12a Toronto Emergency Medical Services (EMS) Operational Support Review - Response to Auditor General Recommendations**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

**Etobicoke York Community Council Report 6****8a Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code for a First Party Ground Pylon Sign at 1025 The Queensway (Ward 5 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

Council also considered the following:

Communications:

- (September 27, 2005) from Greg Piccini [Communication 13(a)];
- (September 27, 2005) from Juliet Palmer [Communication 13(b)];
- (September 27, 2005) from Steve Mercer [Communication 13(c)];
- (September 27, 2005) from Andrew Woodrow [Communication 13(d)];
- (September 27, 2005) from Daniel Luciani [Communication 13(e)];
- (September 27, 2005) from Albert Kwan [Communication 13(f)];
- (September 27, 2005) from Scott Alic [Communication 13(g)];
- Works Committee Report 6, Clause 6, headed “Human Factors Evaluation of Video Advertising Signs”, adopted, as amended, by City Council on July 22, 23 and 24, 2003, circulated at the request of Councillor Joe Mihevc, Ward 21, St. Paul’s [Communication 13(h)];
- (September 28, 2005) from Gabriel Heti [Communication 13(i)];
- (September 28, 2005) from Raj Bharati [Communication 13(j)];
- (September 28, 2005) from Caroline Chan [Communication 13(k)]; and
- (September 29, 2005) from Marilyn Hagerman [Communication 13(l)].

**North York Community Council Report 6****8a Community Safety Zone - Grandravine Drive (Ward 8 - York West and Ward 9 - York Centre)**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

Council also adopted the following procedural motion:

“That all motions moved at the September 28-30, 2005 meeting of City Council on this Clause be forwarded to the next regular meeting of Council on October 26, 2005, and these motions be deemed to be moved.”

**23a Encroachment Agreement - 21 De Vere Gardens (Ward 16 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005

**New Reports:**

**Policy and Finance Committee Report 8**

**1 Proposed Transaction between the Hummingbird Centre and Castlepoint Development**

City Council on September 28, 29 and 30, 2005, amended this Clause by:

(1) amending the recommendations of the Policy and Finance Committee as follows:

(a) revising Recommendation (2)(e) to now read as follows:

“(2)(e) that staff be authorized to negotiate all aspects of the contingency being Option 3(B), including but not limited to the length of the lease and details and options for the early termination of the lease and staff ensure that, in the report to the December Council meeting, the potential mitigation of risks associated with the City’s interests in the implementation of Option 3(B) is addressed;”;

(b) inserting in Recommendation (2)(1), after the words “City staff”, the words “in conjunction with HC”, so that Recommendation (2)(1) now reads as follows:

“(2)(1) authority be granted to City staff, in conjunction with HC, to negotiate a sponsorship agreement with any naming sponsor, and taking into account the City’s Sign By-law, the terms of such agreement be brought back to Council for approval and in order that all necessary steps to change the name of the Theatre and the Board be taken, including any required By-law amendments;”;

(c) adding the following new Recommendations (2)(p), (q) and (r):

- “(2)(p) authority be granted to the City and HC to jointly retain Borden Ladner Gervais to provide legal services in respect of the proposed redevelopment project, in accordance with the fee schedule attached as Schedule ‘A’; and
- (q) authority be granted to the City and HC to jointly retain PriceWaterhouseCoopers to conduct the due diligence review of Castlepoint Realty Partners Limited and its principals and to provide any other such advice and assistance as is appropriate with respect to the Project in accordance with the fee schedule attached as Schedule ‘B’; and
- (r) funds from the Hummingbird Centre Capital Improvement Reserve Fund, Cost Centre XR 3003, be used to continue to retain Borden Ladner Gervais in the range of \$60,000.00 and PriceWaterhouseCoopers in the range of \$50,000.00 to \$100,000.00 in accordance with Chapter 227 of the Municipal Code;”;

so that the recommendations of the Policy and Finance Committee now read as follows:

“The Policy and Finance Committee recommends that:

- (1) City Council pursue Options 3(A) and 3(B) of the Hummingbird Business Plan;
- (2) the following steps be taken:
  - (a) all discussions regarding the development plan be conducted without prejudice or legal obligation on either party until and unless approved by Council, including, but not limited to, any fettering of the discretion or derogation from Council’s responsibilities as a planning authority in accordance with the laws of the Province of Ontario;

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- (b) a portion of the property municipally known as 1 Front Street East, being part of Water Lot 1 on Plan 5A Toronto; part of Walks and Gardens on Plan 5A Toronto; part of bank of Toronto Bay lying between southeasterly limits of Walks and Gardens and northeasterly limits of Water Lots 1 and 36 on Plan 5A Toronto, shown as Parts 1 and 2 on Sketch No. PS-2005-070 (the 'Private Lands'), attached to this Appendix "A", be declared surplus to the City's requirements, with the intended manner of disposal to be by way of a sale and/or lease to Castlepoint Realty Partners Limited;
  - (c) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
  - (d) authority be granted to City staff in conjunction with HC to enter into negotiations with Castlepoint Realty Partners Limited of an umbrella agreement, taking into account the Proposed Memorandum which is attached as Appendix 'A' to the Business Plan, such umbrella agreement to include a greater role for the City in decision making, and as a minimum, decision making with respect to the Development Agreement, and containing the key terms of the sale of land and/or lease, naming and parking arrangements, securing a world-class quality architect such as Libeskind, compliance with Housing First Policy, and such other agreements as are necessary to protect the City's interests on terms satisfactory to the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer and in a form satisfactory to the City Solicitor, and to report back on the results of such negotiations and all legal, operational, financial and budget considerations, by the December 2005 Council meeting;
  - (e) that staff be authorized to negotiate all aspects of the contingency being Option 3(B), including but not limited to the length of the lease and details and options for the early termination of the lease and staff ensure that, in the report to the December Council meeting, the potential mitigation of risks associated with the City's interests in the implementation of Option 3(B) is addressed;

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- (f) authority be granted to request a comprehensive due diligence report regarding Castlepoint Realty Partners Limited and its principals to the satisfaction of the City Solicitor and Deputy City Manager/Chief Financial Officer;
  - (g) any structure or building proposed to be built be required to comply with the new St. Lawrence Neighbourhood Focused Community Urban Design Guidelines;
  - (h) any proposed development be required to adhere to Council's policies in respect of obtaining public benefits for increases in height and/or density;
  - (i) authority be granted to City staff in conjunction with HC to enter into negotiations with GO Transit and/or Castlepoint with respect to parking with the understanding that no above-grade parking will be requested as part of the development;
  - (j) authority be granted for a request to be made to the Province of Ontario for amending legislation, to expand the scope of the statutory purposes of the Board of Directors of HC for the Performing Arts to include (i) the authority to present theatrical performances in theatres other than HC and (ii) the authority to own and/or operate parking spaces;
  - (k) authority be granted to HC to market the naming rights to the theatre in compliance with the City's Sign By-Law including that no sign will be erected on a location on a wall facing the street and shall not be erected above the 4th floor or 15 metres above grade on the condominium tower;
  - (l) authority be granted to City staff, in conjunction with HC, to negotiate a sponsorship agreement with any naming sponsor, and taking into account the City's Sign By-law, the terms of such agreement be brought back to Council for approval and in order that all necessary steps to change the name of the Theatre and the Board be taken, including any required By-law amendments;



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- (m) authority be granted to establish a reserve fund for the purposes of extraordinary programming, as contemplated in the Business Plan;
  - (n) HC provide an interim report to Council on the status of its fundraising in March 2006;
  - (o) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
  - (p) authority be granted to the City and HC to jointly retain Borden Ladner Gervais to provide legal services in respect of the proposed redevelopment project, in accordance with the fee schedule attached as Schedule 'A';
  - (q) authority be granted to the City and HC to jointly retain PriceWaterhouseCoopers to conduct the due diligence review of Castlepoint Realty Partners Limited and its principals and to provide any other such advice and assistance as is appropriate with respect to the Project in accordance with the fee schedule attached as Schedule 'B'; and
  - (r) funds from the Hummingbird Centre Capital Improvement Reserve Fund, Cost Centre XR 3003, be used to continue to retain Borden Ladner Gervais in the range of \$60,000.00 and PriceWaterhouseCoopers in the range of \$50,000.00 to \$100,000.00 in accordance with Chapter 227 of the Municipal Code; and
- (3) City staff be directed to begin the process of heritage designation of the building.”; and
- (2) adding the following:
- “That:
- (a) a Working Committee comprised of City of Toronto staff and the Hummingbird Board and its staff be established;

- (b) the following words, which were a proposed amendment to revised Recommendation (2)(e) of the Policy and Finance Committee, be referred to the Working Group outlined in Recommendation (1), above, for a report to the December meeting of Council, through the Policy and Finance Committee:

‘and include a review of other civic options, including but not limited to:

- (i) a humanitas project;
- (ii) a facility to promote environmental advancements, innovation and sustainability projects; and
- (iii) a sports complex;’; and

- (c) the following staff recommendations contained in the Recommendations Section of the supplementary report (September 29, 2005) from the Chief Corporate Officer, be adopted:

‘It is recommended that:

- (1) Council recognize the market value of the residential component in the Part 1 lands is \$19.3 million based on a value of \$45.00/ft<sup>2</sup> of permissible GFA of 428,571 ft<sup>2</sup>, with an appropriate amount to be deducted for the expected incremental construction costs to be borne by Castlepoint, and that the resultant purchase price shall in no event be less than \$15 million;
- (2) Council recognize the market value for the 99-year lease on the commercial/retail component is \$4.5 million based on a value of \$45.00/ft<sup>2</sup> of permissible GFA of 100,000 ft<sup>2</sup>, with an appropriate amount to be deducted for the expected incremental construction costs to be borne by Castlepoint, and that the resultant value shall in no event be less than \$3.5 million;
- (3) City staff, in conjunction with HC, be directed to audit the details/breakdown of the incremental costs provided by Castlepoint with a view to verifying the appropriate amount that is attributable to the expected additional construction costs to be borne by Castlepoint of the HC site development and report to Council in December, 2005; and

- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

This Clause, as amended, was adopted by City Council.

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Council also considered the following:

- Report (September 29, 2005) from the Chief Corporate Officer [Communication 34(a)].

## **2 Implementation of a New Governance Structure for Toronto Waterfront Renewal**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

## **3 Five-Year Business Plan/Ten-Year Forecast for Toronto Waterfront**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That:

- (1) the reports and actions requested by Council during the 2005 Budget Process, as they relate to the Front Street Extension and related projects, be completed prior to Council considering the future of the Gardiner Expressway and Lake Shore Corridor;
- (2) no funds be allocated to or expended on the Front Street Extension until a final decision is made on the future of the Front Street Extension/Gardiner Expressway/Lake Shore Corridor;
- (3) the Five-Year Business Plan/Ten-Year Forecast for the Toronto Waterfront be brought forward for review when Council considers the future of the Front Street Extension/Gardiner Expressway/Lake Shore Corridor; and
- (4) consideration of the future of the Front Street Extension/Gardiner Expressway/Lake Shore Corridor include a consideration of the Harbourfront LRT Western Extension.”

This Clause, as amended, was adopted by City Council.

#### **4 Street and Expressway Lighting Asset Sale**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That:

- (1) the President and Chief Executive Officer of Toronto Hydro be requested to report to Council, through the Policy and Finance Committee, on how they will accommodate the purchase of the assets in their budget; and
- (2) the Deputy City Manager and Chief Financial Officer be requested to report to the next meeting of Council, through the Policy and Finance Committee, on the status of the tax pre-ruling from the Provincial Minister of Finance.”

This Clause, as amended, was adopted by City Council.

Council also considered the following:

- Confidential report (September 15, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer [Confidential Communication C.1(a)]. The following Recommendations (1), (5) and (6), contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the municipality:

“It is recommended that:

- (1) the Deputy City Manager and Chief Financial Officer, and the Deputy City Manager (Fareed Amin) be directed to proceed with the sale of City Street and Expressway Lighting Assets (‘the Lighting Assets’) to Toronto Hydro Street Lighting Inc. (‘THSLI’);
- (5) the appropriate City officials be authorized to report directly to Council on any other outstanding issues with respect to the terms of these agreements, or related issues with respect to this proposed transaction; and
- (6) the appropriate City officials be authorized to take any action necessary to give effect thereto”.

**5 Toronto Water 2005 Multi-Year Business Plan Response to Request to Report on the Protection of the Source of Toronto's River Systems (All Wards)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Deputy City Manager Fareed Amin, in consultation with the appropriate City officials, be directed to initiate discussions with upstream municipalities, in conjunction with the Toronto and Region Conservation Authority, to develop a co-ordinated strategy for increased senior level government investment in source water protection in the headwaters.”

This Clause, as amended, was adopted by City Council.

**6 Amendment to the 2005 Approved Toronto and Region Conservation Authority Capital Budget to Include Land Acquisition for Source Water Protection (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential Attachment 2, headed “Property Acquisition List and Maps A-G (Confidential)”, to the report (August 29, 2005) from the Chief Administrative Officer, Toronto and Region Conservation Authority [Confidential Communication C.2(a)]. This Attachment remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information regarding the acquisition of property for municipal purposes.

**7 Amendment to City of Toronto Municipal Code for the Property Tax Rebate Program for Veteran's Clubhouses and Legion Halls, and Information Regarding Veteran's House at 1395 Lake Shore Boulevard West (Ward 14 - Parkdale-High Park)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**8 City of Toronto Nominee to the Municipal Property Assessment Corporation (MPAC) Board of Directors**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Council adopt the following recommendation of the Striking Committee contained in the communication (September 28, 2005) from the Committee:

‘The Striking Committee recommended that Council appoint the following Member as Council’s nominee to the Municipal Property Assessment Corporation (MPAC) Board:

C. Jenkins.’ ”

This Clause, as amended, was adopted by City Council.

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Council also considered the following:

- Communication (September 28, 2005) from the Striking Committee [Communication 30(a)].

**9 Update on Bill 206 “*An Act to Revise the Ontario Municipal Employees Retirement System Act, 2005*”**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Stadium Road Reserve Funds**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**11 Toronto Atmospheric Fund Investment Policy**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**12 Toronto District School Board Application Requesting Debentures**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

**13 New Practices to Monitor Blanket Purchase Orders**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communication:

- (undated) from the Deputy City Manager and Chief Financial Officer [Communication 29(a)].

**14 Occupational Health and Safety Report - Second Quarter, 2005**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**15 Memorandum of Agreement between the City of Toronto and Canadian Union of Public Employees (CUPE), Local 79**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (September 1, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer [Confidential Communication C.3(a)]. The following recommendations, contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations:

“It is recommended that:

- (1) City Council ratify the Memoranda of Agreement between the City and CUPE, Local 79;
- (2) the appropriate City officials be authorized to make the necessary amendments to rates of pay, benefits and other contract improvements;
- (3) the Deputy City Manager and Chief Financial Officer be authorized to transfer funds from the 2005 Non-Program Budget to Program Budgets to cover the 2005 wage rate increase for each classification and number of positions within each Program. Future year incremental impacts will be budgeted for within each Program; and

(4) the appropriate City officials be authorized to make the necessary adjustments to the operating budgets of the Divisions to accommodate the above benefit improvements.”

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- Memoranda of Agreements (August 5, 2005), which are now public in their entirety:
    - full time CUPE Local 79 Agreement [Confidential Communication C.3(b)(i)];
    - CUPE Local 79 Part Time Homes for the Aged Agreement [Confidential Communication C.3(b)(ii)];
    - CUPE Local 79 Part Time Unit B Agreement [Confidential Communication C.3(b)(iii)]; and
    - CUPE Local 79, Recreation Workers Part Time Collective Agreement [Confidential Communication C.3(b)(iv)].

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- Confidential Briefing Note (September 28, 2005) from the City Manager [Confidential Communication C.3(d)]. This Briefing Note remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations.

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Confidential Communications:

- (September 28, 2005) from the President, Toronto Civic Employees' Union, Local 416, addressed to the Director, Employee and Labour Relations [Confidential Communication C.3(c)]. This communication is now public in its entirety; and
- (September 28, 2005) from the President, CUPE Local 79 [Confidential Communication C.3(e)]. This communication is now public in its entirety.

## **16 Cost of Living Adjustment for Non-Union Staff**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:



- Confidential communication (September 20, 2005) from the Policy and Finance Committee [Confidential Communication C.4(a)]. This communication is now public in its entirety, and contains the following recommendation of the Policy and Finance Committee:

“The Policy and Finance Committee recommends that:

- (I) City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 1, 2005) from the City Manager and Deputy City Manager and Chief Financial Officer subject to amending Recommendation (1) by inserting the words ‘and elected officials’ after the words ‘group of employees’; and
- (II) in accordance with the *Municipal Act*, discussions pertaining to the foregoing matter be held in-camera as the subject matter relates to labour relations or employee negotiations.”

The confidential report (September 1, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer, is now public in its entirety, and contains the following recommendations, as amended:

“It is recommended that:

- (1) annual wage increases be applied to the non-union group of employees and elected officials consistent with the settlements with CUPE Locals 79 and 416 for the 2005 - 2008 term, specifically:

January 1, 2005 – 2.75 percent

January 1, 2006 – 3.00 percent

January 1, 2007 – 3.25 percent

April 1, 2008 – 3.25 percent

with the exception that the implementation for the Executive/Senior Management Group be limited to the 2005 increase of 2.75 percent and any further adjustments for 2006 to 2008 be held in abeyance until the completion of the external compensation review for that group;

- (2) the following changes be implemented to the benefit plans provided to non-union employees and elected officials:

- Paramedical services maximum to \$500.00 per person per benefit year per practitioner or alternatively, \$800.00 for combined cost towards one particular practitioner;
  - Vision care increase from \$300.00/24 months to \$375.00/24 months upon Council approval, effective January 1, 2006 to \$400.00/24 months, effective January 1, 2007 to \$450.00/24 months and effective January 1, 2008 to \$475.00/24 months;
- (3) the appropriate City officials be authorized to make the necessary amendments to rates of pay and benefits;
- (4) the Deputy City Manager and Chief Financial Officer be authorized to transfer the corresponding funds from the 2005 Non-Program Budget to Program Budgets to cover the 2005 wage increases. Future year incremental impacts will be budgeted for within each Program; and
- (5) the appropriate City officials be authorized to make the necessary adjustments to the operating budgets of the Divisions to accommodate the above benefit improvements.”

**17 City of Toronto Role and Responsibilities for the International Dragon Boat Federation and Dragon Boat Canada**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the supplementary report (September 26, 2005) from Deputy City Manager Sue Corke, subject to:

- (a) amending Recommendation (2) by deleting the words ‘for the Local Organizing Committee’, and inserting instead the words ‘of the Toronto Dragon Boats 2006’; and
- (b) adding the following new Recommendation (3) which reads as follows:
  - ‘(3) a member of the Toronto Chinese Business Association also be recommended onto the Board of the Toronto Dragon Boats 2006;’;

and renumbering the existing Recommendation (3) and Recommendation (4), so that the staff recommendations, as amended, now read as follows:

‘It is recommended that:

- (1) City Council approve the installation of IDBF CCWC banners on two bridges over expressways (Don Valley Parkway and Wynford Drive southbound and Gardiner Expressway and Sunnyside eastbound) from August 1 to August 14, 2006, inclusive, subject to the applicant:
  - (a) supplying, installing, maintaining and removing the banners, including any repair of the bridges or utility poles required as a result of banner installation;
  - (b) meeting Transportation Division’s banner manufacturing, installation and maintenance specifications and other required approvals; and
  - (c) restricting corporate recognition to no more than twenty percent (20%) of the total area of the banner and incidental to the overall design.
- (2) the Councillor for Ward 14 (Parkdale-High Park) be recommended as the City of Toronto’s representative on the Board of Directors of the Toronto Dragon Boats 2006;
- (3) a member of the Toronto Chinese Business Association also be recommended onto the Board of the Toronto Dragon Boats 2006; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

This Clause, as amended, was adopted by City Council.

Council also considered the following:

- Report (September 26, 2005) from Deputy City Manager, Sue Corke, [Communication 21(a)].

## **18 Toronto Police Services - 2004 Annual Report**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**19 Request for City Council Funding Approval - CLRV Life Extension Program Contract Commitments**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That:

- (1) the Toronto Transit Commission (TTC) be requested to request the Chief General Manager to report back to the October meeting of the Budget Advisory Committee with a life cycle business case and the costs associated with refurbishing 196 (CLRVs) streetcars and the financial implications of deferring the refurbishment of 96 streetcars;
- (2) the appropriate provisions be made in the contracts relating to the refurbishing of the 100 streetcars, such that there are no financial penalties incurred in the event that it is decided, within the next six (6) months, that an additional 96 streetcars are added back into the program; and
- (3) TTC staff be requested to make a presentation to the October meeting of the Budget Advisory Committee outlining the Future Streetcar Fleet Requirements and Plan along with the financial implications of the plan.”

This Clause, as amended, was adopted by City Council.

**20 Future Streetcar Fleet Requirements and Plans**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**21 Environmental Assessment for Transit Projects in the Eastern Waterfront**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**22 UITP Rome Manifesto - Public Transport is Mobility for All**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**23 Memorandum of Agreement between the City of Toronto and Canadian Union of Public Employees (CUPE), Local 2998, the City and the Association of Community Centres (AOCCs)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (September 13, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer [Confidential Communication C.5(a)]. The following recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations.

“It is recommended that:

- (1) City Council ratify the Memorandum of Agreement between the City and CUPE, Local 2998 (a copy of the Memorandum of Agreement to be submitted to City Council for its meeting on September 28, 2005);
- (2) the appropriate City officials be authorized to make the necessary amendments to rates of pay, benefits and other contract improvements;
- (3) the Deputy City Manager and Chief Financial Officer be authorized to transfer funds from the 2005 Non-Program Budget to AOCCs’ Program Budget to cover the 2005 wage rate increase for each classification and the number of positions within each program. Future year incremental impacts will be budgeted for within each Program; and
- (4) the appropriate City officials be authorized to make the necessary adjustments to the operating budgets of the Divisions to accommodate the above benefit improvements.”

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- Memorandum of Agreement (September 8, 2005) between the City of Toronto, the Community Centres and CUPE Local 2998, now public in its entirety [Confidential Communication C.5(b)].

**24 Enwave Energy Corporation - Special Shareholders' Meeting**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**25 Results of the City's Appeal of the Ministry of Finance's Statement of Disallowance of the City's Application for an Ontario Retail Sales Tax Refund on the Sale and Leaseback of the City's Computer Equipment**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (August 29, 2005) from the Deputy City Manager and Chief Financial Officer and the City Solicitor [Confidential Communication C.6(a)]. The following recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of property of the Municipality:

“It is recommended that:

- (1) the City Solicitor be authorized to prepare an application to the Minister of Finance pursuant to the *Ministry of Revenue Act* for the recovery from the Province of the remaining duplicate PST amount of \$908,394.79 paid on the MFP computer equipment; and
- (2) City staff not pursue an appeal of the remaining PST amount to the Superior Court pursuant to the *Retail Sales Tax Act*.”

**26 Black Creek West Community Capacity Building Project Report**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**27 Comments on Proposed Carbon Offsets System for Canada**

City Council on September 28, 29 and 30, 2005, adopted the following recommendations of the Roundtable on the Environment contained in the communication (September 26, 2005) from Deputy Mayor Pantalone, Chair, Roundtable on the Environment:

“That:

- (1) the City of Toronto:
  - (a) sell offset credits only to the Government of Canada Climate Fund on the condition that the offset credits be retired by the Federal Government;
  - (b) take immediate steps to ensure that new contracts with suppliers secure the City’s ownership of carbon offset credits; and
  - (c) ensure that any funds raised through the sale of offset credits are directed to supplementing funding for environmental initiatives such as transit, thereby multiplying the benefits of the original emissions reductions;
- (2) Legal Services be requested to report to the Policy and Finance Committee on the appropriate wording to be included in contracts with suppliers who provide services or technologies with potential carbon offset credits (e.g. energy efficiency measures, renewable energy technologies, green roof technologies, methane recovery technologies, etc.);
- (3) the City Manager be requested to investigate and report to the Roundtable on the Environment and to the Policy and Finance Committee on any other offset credit sales which may result in environmental benefits; and
- (4) the City of Toronto endorse and submit the following comments to Natural Resources Canada on the proposed Renewable Power Production Incentive:
  - (a) that NRCan reconsider the limit of 450 megawatts (MW) per province/territory of renewable power eligible for incentives. It is likely that some of the smaller provinces and territories may not reach their limit, whereas Ontario might exceed it. NRCan should consider allocating limits on incentives on a per-capita basis, rather than a common cap;

- (b) that the 1 cent per kilowatt hour subsidy does not recognize the fact that different technologies produce different greenhouse gas emission reductions. For example, methane from landfill biogas is roughly twenty times more powerful than carbon dioxide in terms of its greenhouse impact, but the RPPI does not provide any extra incentive for methane as a renewable fuel. Therefore, NRCan should consider providing an extra methane incentive, or consider implementing another funding program for methane capture, in much the same way that a separate program has been created for wind power;
  - (c) that NRCan consider increasing the subsidy for solar energy. Industry experts have suggested that a subsidy of 1 cent per kW hour for solar is not enough to make photovoltaic installations economically viable. Most new renewable energy technologies require a higher degree of subsidy in their early stages, but can move to market readiness if properly incubated;
  - (d) that NRCan allow the aggregation of smaller projects to meet the 100 kW minimum threshold. It is also unclear whether installations must be connected to the electricity grid or if off-grid projects are eligible for the incentive. It is in the best interest of the City if aggregation and off-grid installations are permitted, enabling projects similar to the transit shelter solar lighting installations and SOLARWALL project at the Fleet Services' Central Garage to qualify for the incentive; and
  - (e) that NRCan look towards developing a streamlined or 'class' environmental assessment process for smaller renewable energy projects. Subjecting each project to a federal environmental assessment process might create barriers, particularly for the smaller projects that the RPPI is intended to encourage; and
- (5) a copy of these recommendations be forwarded to the Toronto Atmospheric Fund and the Federation of Canadian Municipalities.”

This Clause, as amended, was adopted by City Council.

Council also considered the following:



Communication:

- (September 26, 2005) from the Chair, Roundtable on the Environment [Communication 12(a)].

**28 Amendment of 2005 Parks, Forestry and Recreation Capital Budget Reallocation of Funds within Ward 37 (Ward 37 - Scarborough Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**29 Request for Quotation (RFQ) 6619-05-3277 - Supply and Delivery of Bulk Coarse Crushed Rock Salt with Non-Caking Agent during the 2005-2006, 2006-2007 and 2007-2008 Winter Season (Three Years)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**30 Request for Council Authority for the Purchase of Certain Sole-Sourced Essential Goods and Services required by Solid Waste Management Services**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**31 Provision of Over-the Counter Map Products to Students, Instructors and Educational Institutions (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**32 Regent Park Phase 1 - Exemption of Engineering Fees**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**33 Provision of Engineering Services for the Rehabilitation of Switchgears and Transformers at Various Filtration Plants and Pumping Stations, Request for Proposals 9117-05-7215**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**34 Supply and Delivery of Rock Salt During the 2003-2004 and 2004-2005 Winter Season, Tender Call 64-2003**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**35 Water and Sanitary Hook-Up for the Tollkeepers Cottage**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**36 Request to Technical Services to Examine the Cumulative Air Quality Impact of Emissions from Sources in the South Riverdale and Beaches Communities (Wards 30 and 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**37 Contract 05FS-48WS, Tender Call 151-2005, 1650mm Water Main on the Hydro Corridor from Bayview Avenue to Brookshire Boulevard (Ward 39 - Scarborough-Agincourt and Ward 24 - Willowdale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Briefing Note (September 23, 2005) from Deputy City Manager, Fareed Amin [Communication 9(a)].

**38 Status of Rain Damage Resulting from the August 19, 2005 Storm**

City Council on September 28, 29 and 30, 2005, amended this Clause by:

- (1) adding to Recommendation (a) of the Works Committee the words “and those homeowners deemed eligible for this program subsequent to the storms of 2000 and the Blackout of 2003” after the words “as a result of the August 19, 2005 rainstorm”, so that the Recommendation now reads as follows:

- “(a) City Council reinstate the Basement Flooding Protection Subsidy Program, referred to in Report 6, Clause 11 of the Works Committee, entitled ‘Basement Flooding in the Area of the Lower Beaches and Ashbridges Bay Due to August 14, 2003 Electrical Power Outage’, adopted by City Council on July 20, 21 and 22, 2004, and that the criteria outlined in this Clause on sewer back-up be utilized for all properties that were flooded as a result of the August 19, 2005 rainstorm and those homeowners deemed eligible for this program subsequent to the storms of 2000 and the Blackout of 2003; and further, that the work plan for this Program include:”;
- (2) deleting from Part (vi) of Recommendation (a) of the Works Committee, the date “December 1, 2005”, and inserting instead the dated “February 1, 2006”, so that Part (vi) now reads as follows:
- “(vi) applications be on a first come, first served basis with a February 1, 2006 cut-off;”; and
- (3) adding the following:
- “That the City Manager be requested to conduct a complete review of all operational and communications efforts following the storm of August 19, 2005, to identify where improvement can be made, and that the findings be reported to the Works Committee before the end of 2005.”

This Clause, as amended, was adopted by City Council.

Council also considered the following:

- Petition (undated) submitted by Councillor Shelley Carroll, Ward 33, Don Valley East, containing approximately 275 letters in support of the creation and funding of a No-Fault Basement Flooding Grant Program, and a Basement Isolation Subsidy Program [Communication 28(a)].

### **39 The Corporation of the City of York Employee Pension Plan, Actuarial Valuation of Funding Purposes as at January 1, 2005**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**40 Metro Toronto Police Benefit Fund, Actuarial Valuation as at December 31, 2004**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**41 Casa Loma - Extension of License Agreement and New Caretaking Agreement for the Hunting Lodge (Wards 21 and 22 - St. Paul's)**

City Council on September 28, 29 and 30, 2005, amended this Clause by deleting the recommendation of the Policy and Finance Committee, and inserting instead the following:

“That Council adopt the recommendations of the Administration Committee contained in the communication (September 14, 2005) from the Committee, as contained in the Clause.”

This Clause, as amended, was adopted by City Council.

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Council also considered the following:

- Confidential report (August 25, 2005) from the Chief Corporate Officer [Confidential Communication C.7(a)]. This report is now public in its entirety, and contains the following recommendations:

“It is recommended that:

- (1) the License Agreement with the Kiwanis Club of Casa Loma, Toronto be extended for a twenty-seven month term from October 1, 2006 to December 31, 2008 on the same terms and conditions as the existing License Agreement, save for a possible reduction in the License Fee if the annualized revenue from attendance and special events in any year falls below the five-year average of \$5,309,113.00 prior to the commencement of the Capital Restoration program, until the major Capital Restoration program is complete (the Fee reduction would be based on a formula structured as shown on Appendix A);

- (2) a Caretaking Agreement be entered into with the Kiwanis Club of Casa Loma whereby it will be responsible for administering and maintaining the Hunting Lodge on behalf of the City, on an interim month-to-month basis, effective on or about October 1, 2005 and ending not later than the end of the Renewal Term of the License Agreement for Casa Loma, but terminable by either party at any time on 90 days' prior written notice; and
- (3) the appropriate City officials be authorized and directed to take the necessary action and to give effect thereto."

[Appendix A will be noted at the end of this Clause.]

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- Confidential communication (September 26, 2005) from Richard R. Wozenilek, WeirFoulds, Barristers and Solicitors [Confidential Communication C.7(b)]. This communication was made public, in its entirety, during the Council meeting as Communication 27(a).

**42 Pending Purchase of Two Properties Adjacent to One Another - Property 1 - 1034, 1036, 1036 1/2 St. Clair Avenue West, and 117 and 119 Glenholme Avenue, Property 2 - 1032 St. Clair Avenue West (Ward 17 – Davenport)**

City Council on September 28, 29 and 30, 2005, received this Clause.

Council also considered the following:

- Confidential report (September 9, 2005) from the President, Toronto Parking Authority [Confidential Communication C.8(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information regarding the acquisition of land for municipal purposes.

**43 Toronto Community Housing Corporation, Sale of One Social Housing Unit at 124 Kingston Road, Approval under the City's Shareholder Direction and the *Social Housing Reform Act, 2000* (Ward 32 - Beaches-East York)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**44 Toronto Community Housing Corporation Request for \$5 million from City of Toronto Social Housing Stabilization Fund for Urgent Capital Repair Needs**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That:

- (1) the following Part (12) of the Resolution of the Board of Directors of the Toronto Community Housing Corporation, entitled ‘Acceleration of Building Investments for Selected TCHC Communities (TCHC:2005-82)’, as contained in Attachment 2 to the communication (undated) addressed to Councillor Joe Mihevc, Chair, Community Services Committee, from the Chief Executive Officer, Toronto Community Housing Corporation, be referred to the Mayor to facilitate the advocacy campaign:
  - ‘(12) that TCHC, in consultation with the City of Toronto, draft a campaign to advocate for the necessary funding for TCHC’s deferred capital needs in order to maintain and upgrade TCHC buildings and that the Board and residents of TCHC buildings and supportive organizations be included in such a campaign;’;
- (2) City Council endorse and encourage TCHC’s direction to hire youth living in the neighbourhoods for general building improvements, in consultation and assistance with unions, to provide employment and training opportunities;
- (3) the Chief Executive Officer of the Toronto Community Housing Corporation be requested to:
  - (a) report to the Community Services Committee and the Mayor's Advisory Panel on Community Safety on the youth training and employment plan of the Toronto Community Housing Corporation; and
  - (b) report to Council, through the Community Services Committee, on the outcome of the review of the Building Renewal Program of the Toronto Community Housing Corporation and a Capital funding plan necessary to repair and replace building infrastructure to an identified state of good repair; and
- (4) the following motions be referred to the Board of Directors of the Toronto Community Housing Corporation for consideration:

Moved by Councillor Thompson:

‘That:

- (a) all Councillors and the Mayor be requested to spend one week in a Toronto Community Housing Corporation apartment/townhouse before the 2006 Budget deliberations; and
- (b) Council invite the Federal and Provincial Ministers of Housing to spend a week in a Toronto Community Housing Corporation facility.'

Further moved by Councillor Thompson:

'That the Clause be amended to provide that:

- (a) the amount requested from the City of Toronto Social Housing Stabilization Fund be increased by a further \$20 million and that the General Manager, Shelter, Support and Housing Administration, be requested to report to the next meeting of the Community Services Committee with a list of the additional properties requiring urgent repair; and
- (b) this matter be referred to the Community Services Committee and the Budget Advisory Committee for review.'

Further moved by Councillor Thompson:

'That Deputy City Manager Sue Corke be requested to meet with the Chief Executive Officer of the Toronto Community Housing Corporation to consider mechanisms that would give qualified residents of TCHC first priority for jobs at TCHC facilities.' "

This Clause, as amended, was adopted by City Council.

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Council also considered the following:

- Briefing Note (September 26, 2005) from the Chief Executive Officer, Toronto Community Housing Corporation [Communication 22(a)].

**45 Best Start Network, Terms of Reference and Allocation to the City of Toronto**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**46 MFP Financial Services Limited - Status of Litigation**

City Council on September 28, 29 and 30, 2005, adopted the following recommendations:

“That:

- (1) the staff recommendations contained in the Recommendations Section of the confidential report (September 28, 2005) from the City Solicitor, be adopted, subject to confidential instructions to staff, such report and confidential instructions to remain confidential, in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information pertaining to litigation or potential litigation; and
- (2) the City Solicitor, in consultation with the Deputy City Manager and Chief Financial Officer, be requested to submit a report to Council, through the Policy and Finance Committee, providing an itemized list of the total cost of the MFP Inquiry, including outside consultants and all legal fees (both for City of Toronto employees and outside consultants).”

This Clause, as amended, was adopted by City Council.

Council, at the in-camera portion of its meeting on September 28, 29 and 30, 2005, also issued confidential instructions to staff which are to remain confidential, in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information pertaining to litigation or potential litigation.

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Council also considered the following:

- Confidential report (September 15, 2005) from the City Solicitor [Confidential Communication C.9(a)]. The following recommendation contained in the Recommendation Section of the report is now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:



“It is recommended that the City Solicitor report directly to City Council at its meeting on September 28, 29 and 30, 2005 on the status of the MFP litigation, the impact of Commissioner Bellamy’s findings on the litigation and all settlement discussions.”

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- Confidential report (September 28, 2005) from the City Solicitor [Confidential Communication C.9(b)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

**47 Parking Tag Revenue**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

**48 Association of Community Centres (AOCCs), Core Administration Operating Results for the Years 2002 and 200 and Pay Equity Settlement for Central Eglinton Community Centre**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**49 Arena Boards of Management 2003 Operating Surpluses/Deficits Settlement**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**50 Energy Retrofit Program - National Trade Centre, Exhibition Place**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**51 Financial Impact of Hiring 150 Police Officers (All Wards)**

City Council on September 28, 29 and 30, 2005, amended this Clause by:

- (1) amending the recommendations of the Budget Advisory Committee by:
  - (a) adding the following new Recommendations (2), (3) and (4):

- “(2) the City of Toronto ensure that appropriate funding is made available to the Toronto Police Service to facilitate the hiring of 150 new officers, with funding to be provided through a combination of Toronto Police Services surpluses and matching provincial funds (as announced in fall, 2004) thereby making the total number of authorized police officer positions 5,456;
- (3) the Chair of the Toronto Police Services Board be requested to report to the October 26, 2005 meeting of City Council, through the Policy and Finance Committee, outlining the specific number of new, uniformed Officers that will be hired in the 2005 calendar year, and in the 2006 calendar year, and report on the total complement of Officers that will be in place by December 2005, and by December 2006; and
- (4) the Chair of the Toronto Police Services Board be requested to report to the June 2006 meeting of City Council, through the Policy and Finance Committee, regarding the number of uniformed officers in place as of that time, and the number of uniformed officers that are expected to be in place by December 2006;”

and renumbering the existing Recommendation (2) as Recommendation (5) so that the recommendations of the Budget Advisory Committee now read as follows:

“The Budget Advisory Committee recommended to the Policy and Finance Committee and City Council that:

- (1) authority be granted immediately to hire an additional 50 police officers in December 2005 and that priority be given in the Police Services budget to hiring additional officers in 2006 (phased over April and August 2006 classes);
- (2) the City of Toronto ensure that appropriate funding is made available to the Toronto Police Service to facilitate the hiring of 150 new officers, with funding to be provided through a combination of Toronto Police Service surpluses and matching provincial funds (as announced in fall, 2004) thereby making the total number of authorized police officer positions 5,456;

- (3) the Chair of the Police Services Board be requested to report to the October 26, 2005 meeting of City Council, through the Policy and Finance Committee, outlining the specific number of new, uniformed officers that will be hired in the 2005 calendar year, and in the 2006 calendar year, and report on the total complement of officers that will be in place by December 2005, and by December 2006; and
  - (4) the Chair of the Toronto Police Services Board be requested to report to the June 2006 meeting of City Council, through the Policy and Finance Committee, regarding the number of uniformed officers in place as of that time, and the number of uniformed officers that are expected to be in place by December 2006; and
  - (5) the Deputy City Manager and Chief Financial Officer report back to the Budget Advisory Committee with the preliminary 2005 year-end variance report in February 2006 on the use of the Toronto Police Services 2005 projected operating budget surplus.”; and
- (2) adding the following:
- “That City Council request the Toronto Police Services Board to:
- (a) request the Chief of Police to revisit and reconsider his position to not allow OPP officers to fill the gap between now and when the new officers are ready to assume their duties, and that the OPP officers be placed on Toronto streets as soon as possible; and
  - (b) report to the Policy and Finance Committee:
    - (i) advising what service improvements will be made with the addition of 150 police officers; and
    - (ii) providing a formula for the future hiring of police officers to establish a ratio of police officers, auxiliary police and civilian staff.”

This Clause, as amended, was adopted by City Council.

**52 2005 Second Quarter Variance Report - Areas of Under-spending to be Used for 3-1-1 Customer Service Strategy Capital Requirements**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**53 Reserves and Reserve Funds Quarterly Variance Report June 30, 2005**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That the Deputy City Manager and Chief Financial Officer be requested to conduct an annual analysis of the reserves/reserve funds balance January 1 and December 31 of each year, such report to include, generally, how the adequacy of the reserve is assessed and the annual contributions to the reserve and withdrawals from the reserve during the year.”

This Clause, as amended, was adopted by City Council.

**54 Operating Variance Report - for the Six-Month Period Ended June 30, 2005**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That the Deputy City Manager and Chief Financial Officer be requested to find efficiencies so as not to affect service levels.”

This Clause, as amended, was adopted by City Council.

**55 Capital Variance Report - for the Six-Month Period Ended June 30, 2005**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Deputy City Manager Sue Corke be requested to report to Council, through the Policy and Finance Committee, on plans to complete the Capital budget projects by year end.”

This Clause, as amended, was adopted by City Council.

**56 Other Items Considered by the Committee**

City Council on September 28, 29 and 30, 2005, received this Clause, for information.

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**Administration Committee Report 7****1 Annual Information Technology Systems Maintenance Contracts Renewal**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Councillor Jenkins declared an interest in this Clause, in that he is a retired employee, in receipt of a pension, from IBM Canada Ltd.

**2 Transfer of 4050 Yonge Street to Toronto Transit Commission (Ward 16 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**3 RecruitAd Advertising Services - Contract 47009998**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**4 Feasibility of Establishing a Toner Cartridge Refilling Station**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**5 Apportionment of Property Taxes**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**6 Declaration as Surplus Portion of 815 Scarborough Golf Club Road (Ward 43 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**7 Disposition of a Vacant Parcel of Land East of Portia Street (Ward 43 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (September 23, 2005) from the Chief Corporate Officer:

‘It is recommended that:

- (1) the Offer to Purchase from Bordeaux (Niagara) Inc. to purchase the vacant land east of Portia Street, being Parts 2, 6, 7 and 8 on Reference Plan 66R-20609, also shown as Parts 2, 6, 7 and 8 on the attached Sketch PS-2003-014 (the “Property”), in the amount of \$811,500.00, be accepted substantially on the terms and conditions outlined in the body of this report, and that either one of the Chief Corporate Officer or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to the Property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing date and other related transaction dates to such earlier or later date(s), and on such terms and conditions as she may from time to time consider reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

This Clause, as amended, was adopted by City Council.

Council also considered the following:

- Report (September 23, 2005) from the Chief Corporate Officer [Communication 19(a)].
- Confidential report (August 17, 2005) from the Chief Corporate Officer [Communication C.10(a)]. The following recommendations contained in the Recommendations Section of the report, together with the Sketch and Site Map appended to the report, are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality or Local Board:

“It is recommended that:

- (1) authority be granted for the Chief Corporate Officer to meet with Bordeaux (Niagara) Inc. to resolve the condition contained in the Offer to Purchase as submitted and to report directly to City Council at its meeting scheduled on September 28, 29 and 30, 2005 regarding the sale of this property; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**8 Application for Approval to Expropriate Eight Properties: 47, 48, 50 and 51 Hounslow Avenue; 49 and 50 Horsham Avenue; 30 Churchill Avenue and 5437 Yonge Street for the North York Centre Plan Service Road (Ward 23 - Willowdale)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That the Executive Director of Facilities and Real Estate be requested to respond to the owner of 5437 Yonge Street on his concerns in a prompt fashion, if possible.”

This Clause, as amended, was adopted by City Council.

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Council also considered the following:

Communications:

- (September 26, 2005) from Kevin Brillinger, Vice President, Corporate Development, Mister Transmission (International) Limited [Communication 18(a)]; and
- (September 27, 2005) from Kevin Brillinger, Vice President, Corporate Development, Brillinger Investments Limited/Jerome Etkin Limited [Communication 18(b)].

**9 Expropriation of Land at the Rear of 303 Nantucket Boulevard for Transit Purposes (Ward 37 - Scarborough Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Extension to Section 30 Agreement with 863880 Ontario Limited (Ward 19 - Trinity Spadina)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (August 30, 2005) from the Chief Corporate Officer [Confidential Communication C.11(a)]. The following recommendations contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality:

“It is recommended that:

- (1) the City Solicitor be authorized to extend the closing date of the previously approved Section 30 Agreement with 863880 Ontario Limited to January 15, 2006 and, at the discretion of the Chief Corporate Officer, for up to two (2) additional three (3) month periods;
- (2) the Chief Corporate Officer be requested to report to the Administration Committee on the outcome of negotiations with respect to the proposal from 863880 Ontario Limited and Toronto Hanna Properties Limited to minimize the effect of existing easements on 9 Hanna; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**11 Union Station - Lease of Retail Space to Gateway Newsstands - 65 Front Street West (Ward 28 - Toronto Centre - Rosedale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**12 Declaration as Surplus - Portion of 3301 Markham Road (Ward 42 - Scarborough-Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.



**13 Technology Asset Management Strategy**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**14 Councillors' Access to Municipal Connect (on-line access to assessment roll data) Provided by the Municipal Property Assessment Corporation (MPAC)**

City Council on September 28, 29 and 30, 2005, received this Clause.

**15 Corporate Access and Privacy (CAP) Office Renewal Update**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That staff bring a video surveillance policy report to the Administration Committee for discussion that addresses camera technology as it relates to compliance with privacy legislation; and City staff consult with staff of the Toronto Transit Commission and the Toronto Police Video Services Unit in this regard.”

This Clause, as amended, was adopted by City Council.

**16 Purchase of 11 Kenwood Avenue for Municipal Parking Purposes (Ward 21 - St. Paul's West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (August 29, 2005) from the President, Toronto Parking Authority [Confidential Communication C.12(a)]. The following recommendations contained in the Recommendations Section of the report, together with the Location Map appended to the report, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information regarding the acquisition of land for municipal purposes:

“It is recommended that:

- (1) City Council approve the acquisition of 11 Kenwood Ave for \$1,149,610.00. This expenditure consists of \$840,000.00 to acquire the land and up to \$309,610.00 for the associated costs such as land transfer tax, survey, environmental studies, legal, demolition and the upgrade costs of a municipal surface parking lot;

- (2) upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the TPA; and
- (3) the appropriate City officials be authorized to take the actions necessary to give effect thereto.”

## **17 Other Items Considered by the Committee**

City Council on September 28, 29 and 30, 2005, received this Clause for information.

### **Community Services Committee Report 7**

#### **1 Request for Sole Source for MSA Canada Inc. for Supply of Upgrade Kits for Existing Toronto Fire Services Breathing Apparatus**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

#### **2 Request for Sole Source Purchase from Motorola Canada Inc. of 78 Discounted Smartzone Portable Radios to be Used by Fire Fighters**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

#### **3 Request for a Sole Source Full Maintenance Contract with Selco Elevator Ltd. for Servicing of the Elevators at True Davidson Acres for the Period December 1, 2005, until March 31, 2008**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

#### **4 Request to Amend and Continue Services with Key Music Therapy Through Sole Source Agreement - Contract No. 47010216**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

#### **5 Amendment to Contract for Provision of Laundry Services - Lakeshore Laundry and Linen Concept Ltd.**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**6 Determining the Number and Service Needs of Homeless Persons Living on Toronto's Streets and in its Public Spaces**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

**7 Canadian Conference on Homelessness held at York University, May 17 to 20, 2005**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**8 Renewal of Partnership Agreement with United Way of Greater Toronto for the Toronto Enterprise Fund and Funding of 2005 Program**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**9 Supporting Communities Partnership Initiative (SCPI) Transitional Housing Contingency Fund Allocation to Ernestine's Women's Shelter (Ward 1 - Etobicoke North)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Appointment of Council Representative to Homes First Society Board of Directors**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**11 "Make Child Poverty History" Campaign**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**12 Other Items Considered by the Committee**

City Council on September 28, 29 and 30, 2005, received this Clause, for information.

## **Economic Development and Parks Committee Report 8**

### **1 Aerospace Cluster Strategy Flight Path: A Vision for the Future (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

### **2 A Fair Deal for Toronto Pearson - Airport Rent**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That:

- (1) a fair deal for Pearson International Airport include a fair deal for Toronto taxis, and the City request that the Greater Toronto Airport Authority meet with officials of the City to negotiate the terms of an access agreement that would determine the conditions under which Toronto taxis would have access to fares at Pearson; and
- (2) a fair deal for Pearson include a fair deal for Toronto, and the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee on PILTS paid by Pearson for property located within the City’s boundaries and what those payments would be if they were paid as taxes based on provincial assessments.”

This Clause, as amended, was adopted by City Council.

### **3 Official Mark Protection for “TO LIVE WITH CULTURE” (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

### **4 Business Improvement Area (BIA) 2003-2006 Boards of Management Additions and Deletions (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

### **5 Intention to Designate the Danforth and Main Business Improvement Area (BIA) (Ward 31 and Ward 32 Beaches-East York)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**6 Poll Results - Proposed Expansion of Lakeshore Village Business Improvement Area (Ward 6 Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**7 Poll Results - Proposed Designation of the Uptown Yonge Business Improvement Area (Ward 16 Eglinton-Lawrence and Ward 25 Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**8 Design and Implementation of a Commercial Façade Improvement Program (CFIP) for Business Improvement Areas (All Wards)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That the City Clerk be requested to forward the strip mall rehabilitation plan which was tabled at the Planning and Transportation Committee meeting and referred to the Roundtable on a Beautiful City, to the Economic Development and Parks Committee for consideration at its next meeting on October 17, 2005.”

This Clause, as amended, was adopted by City Council.

**9 Authority for Sale of Land (Ward 6 Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (September 5, 2005) from the President and Chief Executive Officer, Toronto Economic Development Corporation [Confidential Communication C.13(a)]. The following recommendation contained in the Recommendation Section of the report is now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality:

“It is recommended that the Economic Development and Parks Committee and City Council adopt this report and authorize TEDCO to proceed with the marketing and sale of its CANPAR facility in South Etobicoke, conditional on final TEDCO Board approval.”

**10 Renewal of the Shared Use Agreement with the Toronto Catholic District School Board (TCDSB) for the Use of Space in Holy Family Catholic School (Ward 14 Parkdale-High Park)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**11 Joint City-School Playground Program with Toronto District School Board (TDSB) and Toronto Catholic District School Board (TCDSB) (All Wards)**

City Council on September 28, 29 and 30, 2005, referred this Clause to the General Manager, Parks, Forestry and Recreation, to allow for further discussions and negotiations with the Toronto Catholic District School Board on the issue of social housing development charges, and report back to City Council in November 2005, through the Economic Development and Parks Committee.

**12 Operation of Snack and Hot Drink Vending Request for Proposal 0613-05-0166 (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**13 Earth Keepers Program (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**14 Proposed License Agreement for Use of a Portion of an Existing Parking Lot Owned by Loblaws Properties Inc. Located at 220 Royal York Road Adjacent to Mimico Arena (Ward 6 Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**15 Tender Call 191-2005 HtO Maple Leaf Quays Waterfront Park Construction (Ward 20 Trinity-Spadina)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**16 Appointment of One Person to the Toronto Preservation Board to Fill a Vacancy Created by a Resignation (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**17 Appointment of Members of Council to the Collections, Conservation and Shared Resources Board and the Fort York Community Museum Management Board**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**18 Other Items Considered by the Committee**

City Council on September 28, 29 and 30, 2005, postponed consideration of Item (j), entitled “Toronto City Hall Hockey Team”, contained in this Clause, to its next regular meeting on October 26, 2005.

The balance of this Clause was received for information.

**Planning and Transportation Committee Report 7**

**1 Final Report - City Initiated Official Plan Amendment 2 McDonalds Place, 1 and 3 Concorde Gate and 10 and 12 Concorde Place (Ward 26 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**2 Preliminary Report - Rezoning and Subdivision Applications 05 166169 STE 28 OZ and 05 166163 STE 28 SB Applicant: Toronto Waterfront Revitalization Corporation (TWRC) Ontario Realty Corp (ORC) and City of Toronto - Architect: N/A - West Don Lands (185 Eastern Avenue) (Ward 28 - Toronto Centre-Rosedale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**3 New Provincial Regulation for the Clean Up of Contaminated Sites**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That the forthcoming report from the Chief Planner and Executive Director, City Planning and the Chief Building Official and Executive Director, Building Division, to the October 6, 2005, meeting of the Planning and Transportation Committee, be prepared in consultation with the Medical Officer of Health, such report to address Public Health’s potential role under the new legislation and the feasibility and benefits of having some or all of the proposed new staff in Public Health.”

This Clause, as amended, was adopted by City Council.

**4 West Toronto Diamond Rail-to-Rail Grade Separation Extension of Grade Separation to North of St. Clair Avenue West**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**5 Private Streets in New Residential Developments**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (September 14, 2005) from the Works Committee [Communication 1(a)]; and
- (September 26, 2005) from the Policy and Finance Committee [Communication 1(b)].

**6 Proposed Graffiti Abatement Strategy - “Clean Team” Operations - Anti-Graffiti Coatings**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**7 1998 and 2001 APTA Rail Safety Audits - Updates**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.



## **8 Spadina Subway Extension Environmental Assessment Study Phase Two Public Consultation Results**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Council adopt the following motion:

**‘WHEREAS** the TTC’s Spadina Subway Environmental Assessment (EA) Study recommends a preferred alignment as per the attachment; and

**WHEREAS** a station at Downsview Park and the CN GO Bradford Line would greatly benefit the Federal Government’s lands known as “Park Downsview Parc (PDP)”;

**WHEREAS** the City of Toronto owns approximately 73 acres of land at the south east corner of Allen Road and Sheppard Avenue West (City Lands); and

**WHEREAS** the City Lands are prohibited from achieving their “highest and best use” by restrictive covenants that limit the “Use and Height” of development on these lands; and

**WHEREAS** the City of Toronto is being denied a potential land value in the neighborhood of \$75 million by these restrictive covenants; and

**WHEREAS** the lands that benefit from these covenants are the “PDP Lands” that are owned by the federal government, Bombardier and potentially by others; and

**WHEREAS** the federal government may be preparing to transfer ownership of some of these lands to the PDP Board; and

**WHEREAS** this will further complicate and expand the number of beneficiaries of these restrictive covenants; and

**WHEREAS** a new subway station at Downsview Park and the CN GO Bradford Line will benefit the value of the roughly 1,000 acres of federal government lands known as “Park Downsview Parc (PDP)”;

**WHEREAS** some of the 1000 acres are slated for high density development;

**THEREFORE BE IT RESOLVED THAT** an approach be made to the Federal Government to seek its participation in the Capital funding of the two subway stations that directly benefit the Park Downsview Parc and other federal properties in the vicinity;

**AND BE IT FURTHER BE IT RESOLVED THAT** the Federal Government be requested to lift the covenant that restricts and limits development of the 73 acres surrounding the Downsview Subway Station;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk immediately advise the Federal Government and its appropriate departments of this action.’ ”

This Clause, as amended, was adopted by City Council.

**9 2004 APTA Rail Safety Audit Final Report**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Other Items Considered by the Committee**

City Council on September 28, 29 and 30, 2005, postponed consideration of Item (d), entitled “Use of Remote Control Cameras to Reduce Illegal Dumping”, contained in this Clause, to its next regular meeting on October 26, 2005.

The balance of this Clause was received for information.

**Planning and Transportation Committee Report 8**

**1 Partial Settlement of Appeals of the New Official Plan with the Urban Development Institute and the Greater Toronto Home Builders’ Association**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (September 22, 2005) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.16(a)]. The following recommendations contained in the Recommendations Section of the report, together with Appendix A, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) Council approve the proposed settlement of specific appeals of the Official Plan, in the form of modifications as substantially set out in Appendix A;
- (2) the City Solicitor be authorized to take any necessary actions at the upcoming Ontario Municipal Board hearing to give effect to the proposed settlement; and
- (3) the appropriate City officials be authorized to execute any necessary documentation including Minutes of Settlement in relation thereto, in a form satisfactory to the City Solicitor.”

[Appendix A will be noted at the end of this Clause.]

**2 Proposed Partial Settlements of Appeals to the Central Waterfront Secondary Plan 701003 (Ward 19 - Trinity-Spadina and Ward 29 - Toronto Centre-Rosedale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (September 22, 2005) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.17(a)]. The following recommendations contained in the Recommendations Section of the report, together with Appendices A and B, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) Council approve the proposed settlement of certain appeals to the New Official Plan, in the form of recommendations and modifications as substantially set out in Appendices A and B;
- (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board Hearing to give effect to the proposed settlements; and

- (3) the appropriate City officials be authorized to execute any necessary documentation, including Minutes of Settlement in relation thereto in a form satisfactory to the City Solicitor.”

[Appendices A and B will be noted at the end of this Clause.]

#### **Striking Committee Report 4**

##### **1 Appointment of Member to Language Equity and Literacy Group**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

##### **2 Appointment of Members and Meeting Schedule for the Affordable Housing Committee**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

##### **3 Appointment of Member to L'Association française des municipalités de l'Ontario/Association of Francophone Municipalities of Ontario (AFMO)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

##### **4 Other Item Considered by the Committee**

City Council on September 28, 29 and 30, 2005, received this Clause for information.

#### **Works Committee Report 8**

##### **1 Consultation Process for Review of New Street Name Signs (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

##### **2 Publication Dispensing Box By-law and Related Issues - Beautiful City Initiative (All Wards)**

City Council on September 28, 29 and 30, 2005, amended this Clause by:

- (1) amending Part (1) of Section (H), headed “Seizure and Disposal” of the proposed by-law, to include graffiti and/or third party advertising however it may have been affixed to the publication box; and
- (2) adding the following:

“That the General Manager, Transportation Services, be requested to report to the November meeting of the Works Committee on proposed new fees for the publication dispensing boxes and that Notice of the proposed fees be given as required by the *Municipal Act, 2001*.”

This Clause, as amended, was adopted by City Council.

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Council also considered the following:

- Report (September 29, 2005) from the General Manager, Transportation Services [Communication 33(a)].
- Confidential report (September 28, 2005) from the City Solicitor [Confidential Communication C.18(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege.

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Communications:

- (September 26, 2005) from Adrienne De Francesco, Circulation Manager, and Brandon Matheson, Publisher and Editor-in-Chief, XTRA [Communication 11(a)];
- (September 26, 2005) from David Bronskill, Goodmans LLP [Communication 11(b)];
- (September 27, 2005) from Cindy Gu, Publisher, The Epoch Times Media Inc. [Communication 11(c)];
- (September 28, 2005) from Saleem Khan, Chairman, Canadian Association of Journalists [Communication 11(d)]; and
- Petition (September 29, 2005) from Everett Collrin, Co-ordinator of Petition Effort in Support of Epoch Times Newspaper Box Request, containing approximately 631 form letters [Communication 11(e)].

**3 Feasibility of Installing Traffic Control Signals at Brimley Road and Fraserton Gate/Shediac Road (Ward 38, Scarborough Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**4 Keele Street and Wilson Avenue Proposed New Road Connection Class Environmental Assessment Study (Ward 9, York Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**5 Pedestrian Safety in Toronto**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Councillor Saundercook also be invited to participate in the development of the Pedestrian Plan.”

This Clause, as amended, was adopted by City Council.

**6 Streetcar Right-of-Way on Fleet Street - Modification to Environmental Assessment**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005, and requested the Chief Planner and Executive Director, City Planning, to report directly to Council, for consideration with this matter, on the effectiveness of narrowing the road from the perspective of landscaping, sidewalks and turning movement.

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Council also considered the following:

- Report (September 27, 2005) from the General Manager, Transportation Services [Communication 23(a)].

**7 Mechanical-Biological Treatment of Multi-Family Residual Waste**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**8 Joint Municipal Water Bottling Project**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

Council also considered the following:

- Briefing Note (September 22, 2005) from Toronto Water [Communication 8(a)].

**9 Ashbridges Bay Treatment Plant Mediation Agreement Compliance Report (Ward 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Establishment of a Wet Weather Flow Management Master Plan Implementation Advisory Committee**

City Council on September 28, 29 and 30, 2005, amended this Clause by amending Recommendation (i)(b) of the Works Committee so that it now read as follows:

“(b) that Item (4) headed ‘Membership’ be amended by adding the following to the list of members:

- Friends of the Don East;
- Rouge Park Alliance; and
- two citizens to be recommended by the Works Committee; and”.

This Clause, as amended, was adopted by City Council.

**11 Council Approval for Risk Assessed Lands - Proposed Land Conveyances Related to the Site Plan Application at 1015 Lake Shore Boulevard East**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**12 Findings from the Task Force on the Opportunities for the Establishment of Long-Term Dump Sites for the Disposal of Excess Clean Native Soils Excavated from City Projects (All Wards)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**13 Agreement between the City of Toronto and Toronto Hydro-Electric Systems Limited (Toronto Hydro) for the Maintenance of the Infrastructure of the 900 MHz Radio Communication Systems Jointly Used by the City and Toronto Hydro**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**14 Other Items Considered by the Committee**

City Council on September 28, 29 and 30, 2005, postponed consideration of Item (j), entitled “Toronto Bike Plan - Three-Year Implementation Strategy”, contained in this Clause, to its next regular meeting on October 26, 2005.

The balance of the Clause was received for information.

**Joint Policy and Finance Committee and Economic Development and Parks Committee Report 1**

**1 Portlands Film Industry/Media Complex Status Report and Lease Approval, and Available Suitable Space (All Wards)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That the following motion be referred to the Film Board for further discussion:

Moved by Councillor Shiner:

‘That City Council:

- (1) request the Premier of Ontario to show further provincial support to the Film Industry in Toronto by requesting the Ontario Realty Corporation not to evict the tenants currently in this space without providing affordable replacement space to the various businesses that provide support services to the film industry; and
- (2) request representatives of the Ontario Realty Corporation to attend the next Mayor’s Film Board meeting to advise the City what can be done to further support the industries that need to have affordable rent in the Port Lands.’ ”

This Clause, as amended, was adopted by City Council.

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Council also considered the following:

- Confidential report (September 15, 2005) from the President and Chief Executive Officer, Toronto Economic Development Corporation, and the Vice President, Development, Toronto Economic Development Corporation [Confidential Communication C.14(a)]. The following recommendations contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality or Local Board:

“It is recommended that:

- (1) City Council approve the TEDCO Board’s granting of the Ground Lease to Toronto Film Studios as outlined in this report;
- (2) TEDCO be directed to finalize the Option Agreement for the balance of the Complex, Connected and Surrounding Lands consistent with the terms defined in the Ground Lease and that these agreements be reported directly to Council; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Communications:

- (September 28, 2005) from Councillor Michael Walker, Ward 22 St. Paul’s [Confidential Communication C.14(b)]. This communication remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality or Local Board.
- (September 26, 2005) from the President and Chief Executive Officer, Toronto Economic Development Corporation [Communication 16(a)]; and
- (September 27, 2005) from Terri-Lynn Leeking [Communication 16(b)].

### **Etobicoke York Community Council Report 7**

#### **1 Request for Authority to Enter into a Heritage Easement Agreement and Approval of Alterations to a Heritage Building, 82 Daniels Street (Ward 5 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**2 Request for Authority to Enter into a Heritage Easement Agreement and Approval of Alterations to a Heritage Building 940, 980 and 1100 Lansdowne Avenue (Ward 17 - Davenport)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**3 Request for Approval of Variance(s) from Chapter 297, Signs, of the former City of Toronto Municipal Code to Permit, for Third Party Advertising Purposes, an Illuminated Roof Sign at 1294 St. Clair Avenue West (Ward 17 - Davenport)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (September 27, 2005) from Andrew Woodrow [Communication 17(a)];  
and
- (September 27, 2005) from Albert Kwan [Communication 17(b)].

**4 Final Report - Official Plan Amendment and Rezoning Application, Applicant: George Vrachas - Part of 1100 Lansdowne Avenue (Building 13) (Ward 17 - Davenport)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**5 Proposed “No Parking Anytime” Prohibition on Woodbine Downs Boulevard North Side of Carrier Drive (Ward 1 - Etobicoke North)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**6 Proposed Exclusive Right Turn Lane Northbound on Humber College Boulevard at Finch Avenue West (Ward 1 - Etobicoke North)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**7 Proposed Installation of an All-Way Stop Control - Montgomery Road and Allanbrooke Drive (Ward 4 - Etobicoke Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**8 Proposed “No Parking Anytime” Prohibition on both sides of Upland Road between White Oak Boulevard and Wilgar Road (Ward 5 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**9 Proposed Relocation of a Pedestrian Crossover (PXO) Royal York Road at Meadowcrest Road (Ward 5 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Proposed Reduction of Speed Limit from 50 km/h to 40 km/h on Roads in the Community Bounded by The Queensway, Mimico Creek, F.G. Gardiner Expressway and Royal York Road (Ward 5 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**11 Proposed Lane Designation and Stopping Prohibition on Royal York Road between Manitoba Street and Delroy Drive (Wards 5 and 6 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**12 Proposed Parking Prohibition on Edgeware Drive, east of Foch Avenue (Ward 6 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**13 Request for Traffic Calming (Speed Humps) on Beverly Hills Boulevard (Ward 7 - York West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**14 Proposed Disabled Loading Zone in front of 60 Davelayne Road (Ward 7 - York West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**15 Proposed Closing, to Vehicular Traffic of Symes Road at the CNR Railway Tracks north of Viella Street (Ward 11 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**16 Proposed Prohibition of Northbound and Southbound U-turns on Weston Road, from Lawrence Avenue West to John Street (Ward 11 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**17 Amendment to Existing Parking Regulations on Hyde Avenue (Ward 12 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**18 Implementation of All-Way Stop Control - Silverthorn Avenue and Donald Avenue (Ward 12 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**19 Implementation of All-Way Stop Control - Donald Avenue and Haverson Boulevard (Ward 12 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**20 Installation of Speed Humps - Amendment to the Existing Plan Humbercrest Boulevard, between Baby Point Road and Humberview Road (Ward 13 - Parkdale-High Park)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**21 Amendments to Existing By-laws - Rambert Crescent, between Morningside Avenue and Windermere Avenue (Ward 13 - Parkdale-High Park)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**22 Request to Change One-way Operation to Two-way Operation on Bristol Avenue (Ward 17 - Davenport)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**23 Changing the Direction of Travel - Lauder Avenue between St. Clair Avenue West and a point 49.5 metres further north thereof (Ward 17 - Davenport)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**24 Proposed One-Way Operation Northbound on McRoberts Avenue between Keith Avenue and Eglinton Avenue West (Ward 17 - Davenport)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**25 Request for an Exemption to the Former City of Toronto Municipal Code to Permit Front Yard Parking on 1367 Lansdowne Avenue (Ward 17 - Davenport)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**26 Installation of On-Street Parking Space for Persons with Disabilities (Ward 17 - Davenport)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**27 Status Report - Site Plan Approval Application Applicant: Eros Fiacconi, EGF Associates 164 Edenbridge Drive (Ward 4 - Etobicoke Centre)**

City Council on September 28, 29 and 30, 2005, adopted the following staff recommendation contained in the Recommendation Section of the report (September 27, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council require the applicant to provide in writing, a commitment to reschedule the appeal to the Ontario Municipal Board and withdraw said appeal pending satisfactory completion of the conditions contained within Attachment 1 of this report; and authorize the Chief Planner or his designate to give final approval to the site plan when those conditions as set out in Attachment 1 of this report have been fulfilled.”

This Clause, as amended, was adopted by City Council.

Council also considered the following:

- Report (September 27, 2005) from the Chief Planner and Executive Director, City Planning [Communication 24(a)].

**28 Status and Directions Report; Site Plan Approval Application, Applicant: Bob Dragicevic, Walker Nott Dragicevic Associates Limited, 21 Oak Street (Ward 11 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted the following:

“That:

- (1) further to the owner’s verbal commitment at the public meeting, the applicant be requested to confirm his willingness to make a community contribution with respect to this development; and
- (2) Council adopt the following staff recommendations contained in the Recommendations Section of the report (September 27, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

- (1) authorize the City Solicitor and Community Planning Staff to appear at the Ontario Municipal Board to:
  - (a) support the applicant’s proposed Site Plan Approval application subject to:
    - (i) the drawings listed in Attachment 1, with revisions incorporated as necessary, to address the various site plan comments; and

- (ii) the conditions to approval as set out in Attachment 2 of this report to be satisfied prior to Site Plan Approval; and
  - (b) request the Board to withhold its order until informed by the City that the conditions to approval have been satisfied;
- (2) direct the City Solicitor to make such stylistic and technical changes to the conditions to approval as may be required and to prepare any necessary Site Plan Agreement; and
- (3) authorize the Director of Community Planning, Etobicoke York District to execute the Agreement.”

This Clause, as amended, was adopted by City Council.

Council also considered the following:

- Report (September 27, 2005) from the Chief Planner and Executive Director, City Planning [Communication 25(a)].

**29 Request for Approval of Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for 3 Fascia Signs at 17 Reading Court (Ward 2 - Etobicoke North)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**30 Request for Approval of Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for a Fascia Sign at 401 The West Mall (Ward 3 - Etobicoke Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**31 Request for Approval of Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for a First Party Ground Sign at 5525-5535 Eglinton Avenue West (Ward 3 - Etobicoke Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**32 Request for Approval of Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for Two Business Identification Fascia Signs at 185 The West Mall (Ward 5 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**33 Request for Approval of Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for a Business Identification Sign and Two Incidental Signs at 4241 Dundas Street West (Ward 5 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**34 Application for Outdoor Marketing Display at 2442 Lake Shore Boulevard West (Ward 6 - Etobicoke-Lakeshore)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**35 Application for Outdoor Marketing Display at 1921 Weston Road (Ward 11 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**36 Appointment of Members of Council to the Montgomery's Inn, Spadina/Mackenzie House/Colborne Lodge and York Community Museum Management Boards and the Etobicoke York Community Preservation Panel**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**37 (1) Curfew for Teens 16 years of age and under; (2) 24-hour on-site security at Toronto Community Housing Communities and Acceleration of Building Investments for selected communities; and (3) Information from all School Boards in Toronto**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

Council also adopted the following procedural motion:



“That all motions moved at the September 28-30, 2005 meeting of City Council on this Clause be forwarded to the next regular meeting of Council on October 26, 2005, and these motions be deemed to be moved.”

Council also considered the following:

Communication:

- (September 27, 2005) from the City Clerk [Communication 14(a)].

**38 Implementation of All-Way Stop Control - Terry Drive and Symes Road (Ward 11 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**39 Implementation of All-Way Stop Control - Maria Street and Gilmour Avenue (Ward 13 - Parkdale High Park)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**40 Liquor License Application - 1644 Weston Road (Ward 11 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**41 Weston Road and Sykes Avenue - Amendments to Parking Regulations (Ward 11 - York South-Weston)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**42 Request to Change the Name of Flindon Park to Louise Russo Park (Ward 7 - York West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**43 Other Items Considered by the Community Council**

City Council on September 28, 29 and 30, 2005, received this Clause for information.

**North York Community Council Report 7****1 Draft By-laws - To Rename Part of Bales Avenue south of Avondale Avenue as Harrison Garden Boulevard and To Rename Part of Terlean Road as Avondale Avenue (Ward 23 - Willowdale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**2 Draft By-law to Permanently Close a Portion of the public highway Phippen Avenue (Commonly known as Parklea Drive), abutting 206 Hanna Road (Ward 26 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**3 Request for Fence Exemption - 157 Sherwood Avenue (Ward 25 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**4 Request for Fence Exemption - 35 Glenforest Road (Ward 25 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**5 Request for Approval of Variances from the former City of York Sign By-law No. 3369-79, as amended, for the erection of a back to back third party advertising roof sign at 1840 Eglinton Avenue West (Ward 15 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (September 27, 2005) from Andrew Woodrow [Communication 17(a)]; and
- (September 27, 2005) from Albert Kwan [Communication 17(b)].

**6 Request for Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for a Second Parking Space at 129 Edith Drive (Ward 16 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**7 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to permit Front Yard Parking for two vehicles at 179 Ranleigh Avenue (Ward 25 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**8 Request for a Variance to the Circular Driveway Entrance Policy - 110 York Mills Road (Ward 25 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**9 Request for Driveway Entrance Widening - 54 Otter Crescent (Ward 16 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Encroachment Agreement - 399 Cortleigh Boulevard (Ward 16 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**11 Traffic Calming Measures - (speed humps) - Hillhurst Boulevard, Bathurst Street to the west limit of cul-de-sac (Ward 15 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**12 Authority to Amend the Designation By-law and the Heritage Easement Agreement - 18 Harrison Garden Boulevard (Elihu Pease House) (Ward 23 - Willowdale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**13 Intention to Designate under Part IV of the *Ontario Heritage Act* - 59 Wynford Drive (Bata International Building) (Ward 26 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (September 10, 2005) from Councillor Nadir Jamal, Township of Ramara [Communication 2(a)];
- (September 27, 2005) from Mario Silva, Member of Parliament for Davenport [Communication 2(b)];
- (September 27, 2005) from Shamez Mohamed, Project Co-ordinator, Wynford Park [Communication 2(c)]; and
- Petition (September 14, 2005) submitted by Councillor Michael Thompson, Ward 37, Scarborough Centre, containing approximately 267 letters in support of the proposed redevelopment of the land at 59 Wynford Drive [Communication 2(d)].

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Councillor Pitfield stated that she had consulted with the Integrity Commissioner and had sought legal advice and was advised that she did not have a conflict of interest with respect to this issue, but has decided to refrain from participating in the discussion.

**14 Parking Prohibitions - Wilmont Drive (Ward 8 - York West)**

City Council on September 28, 29 and 30, 2005, referred this Clause back to the North York Community Council for further consideration.

**15 Parking Prohibitions - Whitehorse Road (Ward 8 - York West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**16 Removal of a Parking Space for the Disabled - 3 Allenvale Avenue (Ward 15 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**17 Amendment to Stopping Prohibitions - Driftwood Avenue (Ward 8 - York West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**18 40 km/h Speed Limit – Laurelcrest Avenue (Ward 10 – York Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**19 Parking Prohibitions - Tribute Homes Development Murray Ross Parkway and Sentinel Road (Ward 8 - York West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**20 Parking Prohibitions - Yewtree Boulevard (Ward 8 - York West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**21 Westbound Right Turn Lane Designation - Steeles Avenue East at Laureleaf Road (Ward 24 - Willowdale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**22 Intersection Stop Controls - Mallory Crescent (Ward 26 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**23 Pedestrian Crossing Prohibition - Leslie Street at Bannatyne Drive (Ward 25 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**24 Follow Up Notice of Completion – Dervock Crescent Cul-de-Sac (Ward 24 - Willowdale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**25 All Way Stop Control - Barksdale Avenue at Evanston Drive (Ward 10 - York Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**26 Parking Prohibitions - Wicksteed Avenue (Ward 26 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**27 Parking/Stopping Restrictions - Viewmount Avenue (Ward 15 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**28 School Zone Review - Calico Public School (Ward 9 - York Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**29 One Way Designation - Neptune Drive (Ward 15 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**30 Assumption of Services - Subdivision owned by Perennial Growth Inc. - Plan 66M-2360, Subdivision File UDSB-1244 - Bethesda Ct. (Ward 25 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**31 Naming of Proposed Private Lane at 134, 136 and 138 Finch Avenue West (Ward 23 - Willowdale)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**32 Sale of Surplus Property - Portion of the Keswick Road and Plewes Road Road Allowance (Ward 9 - York Centre)**

City Council on September 28, 29 and 30, 2005, amended this Clause by deleting staff Recommendation (1) contained in the Recommendations Section of the report (August 26, 2005) from the Chief Corporate Officer, and inserting instead the following new Recommendation (1):

- “(1) the Offer to Purchase from Avvro Developments Inc. to purchase a portion of the City-owned Keswick Road road allowance located at the east terminus of Plewes Road on the east side of Keswick Road, shown as Part 1 on Sketch No. PS-2004-100b; and to purchase another portion of City-owned property at Plewes Road located at the north terminus of Keswick Road on the north side of Gilley Road, shown as Part 3 on Sketch No. PS-2004-100b (the ‘Highway’), in the amount of \$305,000.00, plus GST, and subject to retaining a permanent easement in favour of the City on Closing for existing services located on the Property, be accepted substantially on the terms and conditions outlined in the body of this report, subject to the inclusion of an additional condition that Avvro Developments Inc. release its interest, if any, in the benefit of restrictive covenants which are registered against City-owned lands located south of Sheppard Avenue West and east of the William Allen Road, and that either one of the Chief Corporate Officer or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;”.

This Clause, as amended, was adopted by City Council.

**33 Appointment of Members of Council to the Gibson House/Zion Schoolhouse Community Museum Management Board, and the North York Community Preservation Panel**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**34 Bennington Heights Character Guideline Study - Terms of Reference - North District Application - 05 167803 NPS 00 TM (Ward 26 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**35 Final Report - Part Lot Control Exemption Applications - 05 107815 NNY 08 PL (Phase 2) - 05 107821 NNY 08 PL - 05 107825 NNY 08 PL - 05 107826 08 PL – 05 107829 NNY 08 PL – Walker Nott Dragicivic Associates Limited - 4700 Keele Street (Ward 8 - York West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**36 Final Report - Part Lot Control Application - 05 173703 NMI 25 PL - Georgian Bond Avenue Inc. - 28, 30, 32A & 36 Preakness Drive (Ward 25 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**37 Final Report - OPA & Rezoning Application - 05 103706 NNY 10 OZ - Franco Romano, Action Planning Consultants - Y.T. Architectural Services Inc. - 865-869 Sheppard Avenue West (Ward 10 - York Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**38 Final Report - Draft Official Plan Amendment No. 567 - 05 117545 NPS TM - North York Centre Secondary Plan - Proposed Amendments to Density Incentives for Bicycle Storage (Wards 23 and 24 - Willowdale)**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

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Council also considered the following:

- Report (September 28, 2005) from the Chief Planner and Executive Director, City Planning [Communication 31(a)].

**39 Property at South West Corner of Churchill Avenue and Basswood Road and a Decision of the Ontario Municipal Board (Ward 23 - Willowdale)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 26, 2005) from the City Solicitor. The following recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) the Motion for Leave to Appeal to the Divisional Court be abandoned; and



- (2) Council direct the City Solicitor to request the Ontario Municipal Board to review its decision of August 26, 2005, pursuant to Section 43 of the *Ontario Municipal Board Act*.”

This Clause, as amended, was adopted by City Council.

Council also considered the following:

- Confidential report (September 26, 2005) from the City Solicitor [Confidential Communication C.15(a)]. The staff recommendations contained in the Recommendations Section of the report are now public (and referenced above) and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

**40 Request for Consolidation of Responsibilities by Various City Divisions, Agencies and Corporations regarding Property Maintenance and Infrastructure Needs in Lawrence Heights Area (Ward 15 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**41 Technical Requirement for Processing Funds for the Beautiful City Lawrence Heights Beautification Project (Ward 15 - Eglinton-Lawrence)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**42 Ontario Municipal Board Hearing - Committee of Adjustment Application - A045/03M - 35 Green Valley Road (Ward 25 - Don Valley West)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**43 Other Items Considered by the Community Council**

City Council on September 28, 29 and 30, 2005, received this Clause for information.

**Scarborough Community Council Report 7**

**1 Appointment of Members of Council to the Scarborough Historical Museum Management Board and the Scarborough Community Preservation Panel**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**2 Natural Garden Exemption Request Toronto Municipal Code, Chapter 489 - Grass and Weeds 46 Minnacote Avenue (Ward 44 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (September 26, 2005) from Sidney Ledson [Communication 10(a)];
- (September 26, 2005) from Eugene E. Fisher [Communication 10(b)]; and
- (September 26, 2005) from Lorraine Johnson [Communication 10(c)].

**3 Agincourt Heritage Conservation District Study Area (Ward 41 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**4 Sale of Surplus Land Portion of Closed French Avenue Adjacent to 82 Kitchener Road (Ward 43 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**5 Sale of Surplus Land Portion of Closed French Avenue between Poplar and Kitchener Roads (Ward 43 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**6 Proposed Parking Regulation Changes on Eppleworth Road in the Vicinity of Corvette Junior Public School (Ward 35 - Scarborough Southwest)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**7 Proposed Parking Regulations Changes on Lebovic Avenue (Ward 35 - Scarborough Southwest)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**8 Boulevard Area Southwest Corner of Lawrence Avenue East and Bellamy Road (Ward 38 - Scarborough Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**9 Proposed Minor Street Stop Signs within Bendale Community (Ward 38 - Scarborough Centre)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Proposed Speed Limit Reduction on Beverly Glen Boulevard between Bridletowne Circle and Heatherside Drive (Ward 39 - Scarborough Agincourt)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**11 Proposed Speed Limit Reduction on Innislawn Road (Ward 39 - Scarborough Agincourt)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**12 Proposed Stop Signs on Inverary Crescent at Kilchurn Castle Drive North and South Intersections (Ward 39 - Scarborough Agincourt)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**13 Traffic Calming on Timberbank Boulevard between Bridletowne Circle and Birchmount Road (Ward 40 - Scarborough Agincourt)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**14 Dedication and Naming of Various 0.3 Metre Wide Reserves Within the Mattamy (Rouge) Subdivisions to form Part of Highways (Ward 42 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**15 Proposed Stop Signs within a New Subdivision in the Rouge Community (Ward 42 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**16 Proposed Parking Regulation Changes on Sewells Road in the Vicinity of St. Bede Catholic School (Ward 42 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**17 Proposed Minor Street Stop Signs at three Intersections in the West Hill Community (Ward 43 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**18 Proposed Parking Regulations on Haida Court (Ward 44 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**19 Proposed Minor Street Stop Signs at seven Intersections in the Rouge Community**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**20 Terms of Reference Revitalization Study of Kingston Road in the Birchcliff Community File Number 05 106102 ESC 36 TM (Ward 36 - Scarborough Southwest)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

- 21 Amendment to Site Plan Control By-law 21319 City Initiated Application 05 129797 ESC 42 TM Sky Palace Inc. - 5644 Sheppard Avenue East North-East Corner of Malvern Street and Sheppard Avenue East, Malvern Community (Ward 42 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

- 22 Request for Direction Site Plan Control Application 04 110258 ESC 43 SA Ron Herczeg, Inaugural Source Inc. (Architect: Brian Lee) 4177 Lawrence Avenue East (Ward 43 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

- 23 Final Report Rezoning Application 04 186473 ESC 42 OZ Trinity Falls Corporation (Architect: ARCHEXES Design Inc.) 145 Milner Avenue Malvern Employment District (Ward 42 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

- 24 Final Report OPA & Rezoning Application 04 196495 ESC 42 OZ Mattamy (Staines) Limited (Baldwin and Franklin Architects) S/W Corner Morningside and Finch Avenues Morningside Heights Community (Ward 42 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

- 25 Final Report Rezoning Application 05 110329 ESC 35 OZ Maryannet and Jenuraj Sebastianpillai 779-779A Danforth Road Kennedy Park Community (Ward 35 - Scarborough Southwest)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

- 26 Final Report OPA and Rezoning Application 04 203847 ESC 39 OZ Draft Plan of Subdivision Application 04 203850 ESC 39 SB Waltman Building Group (Buttermill Developments Inc.) 25 Canongate Trail at Sanwood Boulevard Steeles Community (Ward 39 - Scarborough Agincourt)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding to Condition 33, contained in Attachment 8, headed "Conditions of Draft Plan of Subdivision Approval", the words "and in keeping with City policy, 25 percent of which shall be used for Parks Improvements in Sanwood Park", so that the Condition now reads as follows:

“33. As a condition of the building permit process, the Owner agrees and acknowledges that a 5 percent cash-in-lieu of parkland dedication payment is to be paid in fulfillment of the statutory parkland dedication requirement, and in keeping with City policy, 25 percent of which shall be used for Parks Improvements in Sanwood Park.”

This Clause, as amended, was adopted by City Council.

**27 Final Report OPA and Rezoning Application 04 185245 ESC 41 OZ Draft Plan of Subdivision Application 04 185260 ESC 41 SB Brookside Gardens Inc. - Sandhurst Circle and White Heather Boulevard - Agincourt North Community (Ward 41 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**28 Final Report Draft Plan of Subdivision Application 05 103147 ESC 41 SB Ashcott Mews Development Inc. Northeast corner of Ashcott Street and Cascaden Street Milliken Community (Ward 41 - Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**29 Final Report Rezoning Application 04 188142 ESC 41 OZ Robynwood Homes Inc. 2756 Brimley Road Agincourt North Community (Ward 41 – Scarborough Rouge River)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**30 Final Report Rezoning Application 05 110341 ESC 44 OZ Pioneer Petroleums Management Limited 7445 Kingston Road - Former Township of Pickering By-law 3036 and Rouge Community (Ward 44 - Scarborough East)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**31 Other Items Considered by the Community Council**

City Council on September 28, 29 and 30, 2005, received this Clause for information.

**Toronto and East York Community Council Report 7****1 Final Report - Official Plan and Rezoning Application – 100 Spadina Road and 97 Walmer Road and Request for Authority to Enter into a Heritage Easement Agreement and Approval of Alterations to a Heritage Building - 100 Spadina Road (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, referred this Clause back to the Toronto and East York Community Council for further consideration.

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Council also considered the following:

Communication:

- (September 27, 2005) from 12 members of the community in opposition to the development proposal at 100 Spadina Road and 97 Walmer Road [Communication 32(a)].

**2 Final Report - Application to Amend the Official Plan and Zoning By-law - 65-85 and 150 East Liberty Street; 69, 80 and 90 Lynn Williams Street (Trinity-Spadina, Ward 19)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**3 Final Report - Application to Amend the Zoning By-law - 21 Widmer Street (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**4 Final Report - Application to Amend the Official Plan and Zoning By-law - 77 Charles Street West (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, postponed consideration of this Clause to its next regular meeting on October 26, 2005.

**5 Final Report - Rezoning Application and Residential Demolition Application - Part of 620 Dundas Street East (470, 508 and 540 Dundas Street East, 248 Sackville Street, 41 Oak Street and 347 Parliament Street) (Regent Park Redevelopment - Phase 1) and Removal of Private Trees - Regent Park (Toronto Centre-Rosedale, Ward 28)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**6 Final Report - Application to Amend the Zoning By-law - 30 Morrow Avenue (Parkdale-High Park, Ward 14)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**7 Supplementary Report – Rezoning Application - 430 King Street West (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Councillor Shiner declared an interest in this Clause, in that his family owns property in the immediate vicinity.

**8 Further Report - Official Plan Amendment and Rezoning Application - 590 Jarvis Street (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**9 Inclusion of Two Properties on the City of Toronto Inventory of Heritage Properties - Garrison Common North Area Study - 130 East Liberty Street (Liberty Storage Warehouse) and 107 Atlantic Avenue (Bradshaw and Company Factory) (Trinity-Spadina, Ward 19)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**10 Inclusion on the City of Toronto Inventory of Heritage Properties - 154 Shuter Street (Rosar Coach House) (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**11 Alterations to a Designated Property - 49 Front Street East (Toronto Centre-Rosedale, Ward 28)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:



- Report (September 27, 2005) from the Chief Planner and Executive Director, City Planning [Communication 20(b)].

Communication:

- (September 27, 2005) from George H. Rust-D'Eye, WeirFoulds, Barristers and Solicitors [Communication 20(a)].

**12 Alterations to a Heritage Building and Authority to Enter into a Heritage Easement Agreement - 81 St. Nicholas Street (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**13 Inclusion on the City of Toronto Inventory of Heritage Properties - 2154 Dundas Street West (Parkdale-High Park, Ward 14)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**14 St. Lawrence Heritage Conservation District Study Area (Toronto Centre-Rosedale, Ward 28)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**15 Riverdale Heritage Conservation District Study Area - Phase 1 (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**16 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 80 Danforth Avenue (Toronto-Danforth, Ward 29)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**17 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 25 Bishop Tutu Boulevard (Toronto-Spadina, Ward 20) and Removal of Illegal Signs in the Toronto and East York Community Council Area**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (September 18, 2005) from Leslie S. Abro, President and CEO, Abcon Media [Communication 3(a)].

**18 Proposed Bicycle Lanes on Dundas Street West, from Sorauren Avenue to College Street, and on College Street, from Dundas Street West to Lansdowne Avenue (Parkdale-High Park, Ward 14; Davenport, Ward 18)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**19 Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking - 199 Pearson Avenue (Parkdale-High Park, Ward 14)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**20 Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking - 179 Indian Grove (Parkdale-High Park, Ward 14)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (September 19, 2005) from Michael Lindon [Communication 7(a)]; and
- (September 23, 2005) from Martha Héder [Communication 7(b)].

**21 Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Residential Boulevard Parking - Maple Grove Avenue Flank of 38 Brock Avenue (Parkdale-High Park, Ward 14)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (September 19, 2005) from Leonard Gurunlian and Kessa Laxton [Communication 4(a)]; and
- (September 21, 2005) from Sudhatri Murthy and Robert Allen [Communication 4(b)].

**22 Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Residential Boulevard Parking - Lisgar Street Flank of 16 Afton Avenue (Davenport, Ward 18)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communication:

- (September 15, 2005) from Margot E. Danard [Communication 5(a)].

**23 Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Angled Driveway Widening - 74 Waverley Road (Beaches-East York, Ward 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**24 Residential Demolition Application - 200, 202, 204 and 206 Moore Avenue (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**25 Exemption from Chapter 447 of the former City of Toronto Municipal Code to Permit a Fence - 235 Warren Road (St. Paul's, Ward 22)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**26 Boulevard Cafe - Thai Hua - 240 Queen Street West (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (September 16, 2005) from Craig R. Colraine, Birenbaum Steinberg Landau Savin & Colraine LLP, Barristers and Solicitors [Communication 6(a)]

[Note: A copy of the submissions noted in the communication are on file in the City Clerk's Office.]; and

- (September 26, 2005) from Craig R. Colraine, Birenbaum Steinberg Landau Savin & Colraine LLP, Barristers and Solicitors [Communication 6(b)].

**27 Removal of One Privately Owned Tree – 219 Hillside Avenue East (St. Paul's, Ward 22)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That Deputy City Managers Fareed Amin and Sue Corke be requested to report to the Planning and Transportation Committee prior to December 31, 2005, on a procedure to ensure that the City's staff deal with all known issues related to an Ontario Municipal Board (OMB) application or appeal so as to avoid the need to have residents return to the OMB repeatedly to deal with various aspects of the same application or appeal.”

This Clause, as amended, was adopted by City Council.

**28 Removal of One Privately Owned Tree – 43 Price Street (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**29 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code and from the University Avenue By-law No. 13409 – 555 University Avenue (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**30 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 1200 Dundas Street West (Trinity-Spadina, Ward 19)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**31 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 1100 King Street West (Parkdale-High Park, Ward 14)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**32 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 620 Fleet Street (Trinity-Spadina, Ward 19)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**33 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 2 Strachan Avenue (Trinity-Spadina, Ward 19)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**34 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 266-270 King Street West (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**35 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 383 Spadina Road (St. Paul's, Ward 22)**

City Council on September 28, 29 and 30, 2005, referred this Clause back to the Toronto and East York Community Council for further consideration.

**36 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 111 Queen's Park- (Gardiner Museum of Ceramic Art) (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**37 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 2 Carlton Street (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**38 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 720 Bay Street (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**39 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 227 Gerrard Street East (Toronto Centre-Rosedale, Ward 28)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**40 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code – 214 King Street East (Toronto Centre-Rosedale, Ward 28)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**41 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code – 95 King Street East (Toronto Centre-Rosedale, Ward 28)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**42 Variances from By-law No. 64-87 of the former City of East York - 1068-1070 Pape Avenue (Toronto-Danforth, Ward 29)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**43 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 1195-1201 Queen Street East (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**44 Planter Box on north side of Northumberland Street, east of Westmoreland Avenue, and a Partial One-way Operation on Northumberland Street (Davenport, Ward 18)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**45 Student pick-up and drop-off area, east side of Sunnyside Avenue fronting Howard Park Public School (Parkdale-High Park, Ward 14)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**46 Removal of the Pick-up and Drop-off Zone for Disabled Persons - 77 Winchester Street (Toronto Centre-Rosedale, Ward 28)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**47 Speed Hump Poll Results - Arlington Avenue, Winona Drive and Wychwood Avenue (St. Paul's West, Ward 21)**

City Council on September 28, 29 and 30, 2005, amended this Clause:

- (1) to provide that speed humps be installed on Winona Drive; and
- (2) by adding the following:

“That:

- (a) a draft by-law be prepared for the alteration of the roadway on Winona Drive, between St. Clair Avenue West and Tyrrel Avenue, for traffic calming purposes as described below:

‘The construction of four speed humps on Winona Drive between St. Clair Avenue West and Tyrrel Avenue, generally as shown on the attached print of Drawing No. 421F-7746, dated January 2005’;

- (b) pursuant to the requirements of the *Municipal Class Environmental Assessment Act*, Notice of Completion be issued; and
- (c) the speed limit on Winona Drive between St. Clair Avenue West and Tyrrel Avenue, be reduced to 30 km/h, coincident with the installation of speed humps.”

This Clause, as amended, was adopted by City Council.

**48 Speed Hump Poll Results - Hallam Street, between Dufferin Street and Dovercourt Road (Davenport, Ward 18)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**49 Speed Hump Poll Results - Kilbarry Road, between Spadina Road and Dunloe Road (St. Paul's, Ward 22)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**50 Installation of Additional Speed Bump - North/South public lane, north of St. Clair Avenue West, between Raglan Avenue and Bathurst Street (St. Paul's, Ward 21)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**51 Installation of Speed Humps - Booth Avenue, between Queen Street East and Eastern Avenue (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**52 Installation of Speed Humps - Bain Avenue, between Broadview Avenue and Ingham Avenue (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**53 Installation of Speed Humps - Pape Avenue, between Dundas Street East and Gerrard Street East (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.



**54 Installation of Speed Humps - Lewis Street, between Queen Street East and Eastern Avenue (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**55 Installation of Speed Humps - Doris Drive, between Denvale Road and St. Clair Avenue East; and Denvale Road, between Northdale Boulevard and St. Clair Avenue East (Beaches-East York, Ward 31)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**56 Installation of Speed Humps - Waverley Road between Kingston Road and Norway Avenue (Beaches-East York, Ward 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**57 Prohibition of Heavy Vehicles - Sterling Road (Davenport, Ward 18)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**58 Proposed Amendments to the Westbound Right-turn Prohibition - Yonge Street and St. Clair Avenue (St. Paul's, Ward 22)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**59 Amendment to the Westbound Right-turn Prohibition - Bloor Street East and St. Paul's Square (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**60 Establishment of a Construction Staging Area - Sussex Mews, at the rear of 732 - 742 Spadina Avenue (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**61 Construction Staging Area - 150 Roehampton Avenue (St. Paul's, Ward 22)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**62 Construction Staging Area - 825 Bay Street (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**63 Rescind northbound left-turn and through movement prohibitions - Bloor Street East and Huntley Street (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**64 Maintenance of Granite Paving within the City Sidewalk - fronting 160 College Street (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**65 Removal of Thursday Parking Prohibition - St. Clarens Avenue, between College Street and Bloor Street West (Davenport, Ward 18)**

City Council on September 28, 29 and 30, 2005, received this Clause.

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Council also had before it the following Motion J(17):

**Moved by: Councillor Giambrone**

**Seconded by: Councillor Carroll**

“**WHEREAS** City Council, at its meeting on June 14, 15 and 16, 2005, adopted, as amended, Toronto and East York Community Council Report 5, Clause 36, headed ‘Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)’, and in so doing, approved the implementation of a trial program to institute a system of alternate side parking, to take place on each Thursday of each week, from April 1 to November 30, 2005, on a number of streets within the area bounded by Bloor Street West, CN rail corridor, College Street and Dufferin Street in Ward 18.; and

**WHEREAS** the residents of St. Clarens Avenue, between College Street and Bloor Street West, are not supportive of this project and have requested that this program be suspended on their individual street;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 36, headed ‘Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)’, be re-opened for further consideration, only as it pertains to St. Clarens Avenue, between College Street and Bloor Street West;

**AND BE IT FURTHER RESOLVED THAT:**

- (1) the alternative side parking prohibition in effect each Thursday, from April 1st to November 30th, 2005, on St. Clarens Avenue, between College Street and Bloor Street West, be rescinded;
- (2) the on-street disabled persons parking spaces on St. Clarens Avenue, between College Street and Bloor Street West, which operate on an alternate side basis on each Thursday, from April 1<sup>st</sup> to November 30<sup>th</sup>, 2005, be rescinded; and
- (3) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.”

Council postponed consideration of Motion J(17) until the next regular meeting of City Council on October 26, 2005.

**66 Prohibition of Parking - Donlands Avenue, west side, from Westwood Avenue to a point 24 metres north (Toronto-Danforth, Ward 29)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**67 Closing to traffic of a portion of the public lane, Glenholme Place - 185 Gerrard Street East, flanking 117 Pembroke Street (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**68 Installation of “Stop” Sign - Galbraith Avenue and Barron Road (Beaches-East York, Ward 31)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**69 Reduction of the Speed Limit - Amsterdam Avenue, between O’Connor Drive and Victoria Park Avenue (Beaches-East York, Ward 31)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**70 Extension of Overnight On-street Permit Parking Hours - Grenadier Road, between Roncesvalles Avenue and Sunnyside Avenue (Parkdale-High Park, Ward 14)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**71 Overnight On-Street Permit Parking – Rankin Crescent, between Paton Road and Wallace Avenue (Davenport, Ward 18)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**72 Extension of Overnight On-Street Permit Parking Hours – Lakeview Avenue, between Harrison Street and Churchill Avenue (Trinity-Spadina, Ward 19)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**73 Extension to the Short-term Parking Hours at R. H. McGregor School - Sammon Avenue, north side, from Coxwell Avenue to Durant Avenue (Toronto-Danforth, Ward 29)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**74 Extension of Overnight On-Street Permit Parking Hours - Hamilton Street, between Dundas Street East and Gerrard Street East (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**75 Extension of Overnight On-Street Permit Parking Hours – Blackburn Street, between Gerrard Street East and Mountstephen Street (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**76 Extension of Overnight On-Street Permit Parking Hours - Mountstephen Street, between the Western end of Mountstephen Street and Broadview Avenue (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**77 Extension of Overnight On-Street Permit Parking Hours – Munro Street, between Dundas Street East and Gerrard Street East (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**78 Overnight On-Street Permit Parking – Skopje Gate, between Blair Street and O’Connor Drive and new Permit Parking Area (Beaches-East York, Ward 31)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**79 Overnight On-Street Permit Parking - Eastern Branch of Blair Street, between Tucker Street and the East West Branch of Blair Street, and on the Western Branch of Blair Street, between Tucker Street and Northline Road and of a new Permit Parking Area (Beaches-East York, Ward 31)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**80 Provision of “Commercial Loading Zones” and On-Street Pay-and-Display Parking Spaces - St. Patrick Street, from Dundas Street West to Queen Street West (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**81 Amendment to the current Parking Regulations – 20 Collier Street (Yonge Street and Church Street) (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**82 One-hour Maximum Parking Limit – Ashby Place, east side, from King Street East to the north end of Ashby Place (Toronto Centre-Rosedale, Ward 28)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**83 Amendment to Parking Controls - Coxwell Avenue, between Lake Shore Boulevard East and Eastern Avenue (Beaches-East York, Ward 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**84 Request for Authorization to Execute Agreement under section 45(9) of the *Planning Act* – 8-10 Scollard Avenue (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**85 Removal of a Taxicab Stand - Mount Pleasant Road, south of Eglinton Avenue East (St. Paul's, Ward 22)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**86 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Parkdale-High Park, Ward 14; Davenport, Ward 18; Trinity-Spadina, Wards 19 and 20; Toronto-Danforth, Wards 29 and 30 and Beaches-East York, Ward 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**87 Sale of Surplus Property - Vacant Parcel of Land at 69 Austin Avenue (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**88 Naming of Public Lane - North of College Street, between Shaw Street and Roxton Road (Trinity-Spadina, Ward 19)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**89 Appointment of Members of Council to the Spadina/Mackenzie House/Colborne Lodge and Todmorden Mills Community Museum Management Boards and the Toronto and East York Community Preservation Panel**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**90 Appointments - Applegrove Community Complex (Beaches-East York, Ward 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**91 Appointments - Eastview Neighbourhood Community Centre (Toronto-Danforth, Ward 30)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**92 Requests for Endorsement of Events for Liquor Licensing Purposes (St. Paul's, Ward 21 and Toronto-Danforth, Ward 29)**

City Council on September 28, 29 and 30, 2005, amended this Clause by adding the following:

“That City Council, for liquor licensing purposes, advise the Alcohol and Gaming Commission of Ontario that it is aware of the event being held by the Ontario College of Art and Design on October 6, 2005, from 6:00 p.m. to 9:30 p.m., in Butterfield Park off McCaul Street, and that City Council has no objection to this event taking place.”

This Clause, as amended, was adopted by City Council.

**93 Use of Nathan Phillips Square – “New Year’s Eve”, December 31, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**94 Use of Nathan Phillips Square - “Cavalcade of Lights” on November 24, 25 and 26, and December 3, 10 and 17, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**95 Front Yard Parking Applications south of St. Clair Avenue West in Ward 21 (St. Paul’s, Ward 21)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**96 Moving a Fence - 323 Wychwood Avenue (St. Paul’s, Ward 21)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**97 Adjustment to the Parking Regulations in the “Student Pick-up and Drop-off Area” at Presteign Heights Public School - St. Clair Avenue East and Marilyn Crescent (Beaches-East York, Ward 31)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**98 Ontario Municipal Board Hearing - Committee of Adjustment Decision – 34 Long Crescent (Beaches-East York, Ward 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**99 Ontario Municipal Board Hearing - Committee of Adjustment Decision - 19 and 21 Scarboro Beach Boulevard (Beaches-East York, Ward 32)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**100 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 1 St. Clair Avenue East (St. Paul’s, Ward 22)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.



**101 Roadway Narrowing and Implementation of Bicycle Lanes, Strachan Avenue from Lake Shore Boulevard West to Fleet Street (Trinity-Spadina, Ward 19)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**102 Parking on St. Patrick Street West Side, between Dundas Street West and Elm Street (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted this Clause without amendment.

**103 Heritage Designation of the St. Stephen-in-the-Fields Church (Trinity-Spadina, Ward 20)**

City Council on September 28, 29 and 30, 2005, adopted the following staff recommendations contained in the Recommendations Section of the report (September 27, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

- (1) City Council authorize the amending of By-law No. 380-77 designating the property at 103 Bellevue Avenue (St. Stephen-in-the-Fields Anglican Church) under Part IV of the *Ontario Heritage Act*;
- (2) if there are no objections to the amending of the designation by-law in accordance with Section 30.1 (7) of the *Ontario Heritage Act*, the City Solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the *Ontario Heritage Act*;
- (3) if there are any objections in accordance with Section 30.1 (6) of the *Ontario Heritage Act*, the City Clerk be directed to refer the proposed designation to the Conservation Review Board; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

This Clause, as amended, was adopted by City Council.

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Council also considered the following:

- Report (September 27, 2005) from the Chief Planner and Executive Director, City Planning [Communication 26(a)]; and
- Report (September 30, 2005) from the Toronto Preservation Board [Communication 26(b)].

#### **104 Other Items Considered by the Community Council**

City Council on September 28, 29 and 30, 2005, received this Clause for information.

#### **Enquiry and Answer**

- 1(a) (August 11, 2005) Enquiry from Councillor Michael Walker regarding the City's Tsunami Relief Effort.**
- 1(b) (September 26, 2005) Answer from Mayor David Miller regarding the City's Tsunami Relief Effort.**

The Enquiry (August 11, 2005) from Councillor Walker and the Answer to the Enquiry (September 26, 2005) from Mayor David Miller, were received.

#### **Notices of Motions:**

- I(1) Leaf Blower Use Restriction in the City of Toronto**  
*Moved by Councillor Walker, seconded by Councillor Jenkins*

**“WHEREAS**, at the present time, the Noise By-law for the City of Toronto prohibits the creation of noise by the use of leaf blowers, known as ‘powered property service tool’, between the hours of 9:00 p.m. and 7:30 a.m., or 9:00 a.m. in the case of Sundays or holidays; and

**WHEREAS** gas powered leaf blowers produce sound with a strong tonality, which is particularly objectionable, and levels generally measure in the range of 80-90 dBA; and

**WHEREAS** as of January 1, 1992, leaf blowers which produce sound levels in excess of 70 dBA at 15 metres are considered to be in violation of the Noise By-law and are, therefore, essentially banned in the City; and

**WHEREAS** the number of noise complaints resulting from the use of leaf blowers increases steadily each year, as outlined in the Committee Report (January 10, 1996) submitted from the Acting Commissioner of Public Works and the Environment for the City of Toronto; and

**WHEREAS** the Noise By-law is authorized by section 9(1) of the *City of Toronto Act*, 1971, which reads, ‘...The Council of the Corporation may pass by-laws for prohibiting or regulating the making, causing or permitting of noises or any class or classes of noises within the municipality or any defined area or areas thereof which disturbs or may disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants, or which, in the opinion of the Council, are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants.’; and

**WHEREAS** the pollution caused by leaf blowers extends beyond noise to dust, debris, mould, hydrocarbons, carbon monoxide, and ground level ozone, all of which increase the levels of pollution and/or smog in the City, resulting in a loss of quality of life for all residents; and

**WHEREAS** the City of Vancouver, B.C., has already taken the initiative to support a City-wide ban of leaf blowers (Noise Control By-law No. 6555 - November 18, 2003);

**NOW THEREFORE BE IT RESOLVED THAT** City Council amend the Noise By-law (adopted by Council on June 18-20, 2002) to include the following staff Recommendation (2)(a) contained in the Recommendations Section of the report (November 5, 2001) from the Commissioner of Urban Development Services, as amended by the Planning and Transportation Committee:

‘(2)(a) Section 4 be amended to reflect the prohibited period of time for the operation of a power device that blows or vacuums leaves, grass cuttings, debris or other similar material as follows:

- (i) at all times in Quiet Zones;
- (ii) at all times on residential properties except during the months of October and November for leaf removal;
- (iii) between 6:00 p.m. and 8:00 a.m. Monday to Saturday and at all times on Sunday on non-residential properties; and
- (iv) on Smog Alert days;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City staff, by mechanism of the Noise and Pollution by-laws, investigate unconditionally banning the operation of any powered leaf blower, electric or gas, in the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City staff take the necessary actions to give effect to the foregoing.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, referred this Motion to the Planning and Transportation Committee.***

Council also considered the following:

- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**I(2) Licensing of Livery Vehicles**

*Moved by Councillor Stintz, seconded by Councillor Saundercook*

“**WHEREAS** City Council at its meeting on May 17, 18 and 19, 2005, by its adoption, without amendment, of Planning and Transportation Report 4, Clause 1, headed ‘Licensing of Livery Vehicles in the City of Toronto’, amended the Toronto Municipal Code, Chapter 545, by adopting several new provisions relative to the licensing of livery vehicles in the City of Toronto; and

**WHEREAS** the new licensing provisions relative to the livery industry are intended, in part, to bring unlicensed limousine activity under the regulatory umbrella; and

**WHEREAS** the new sedan vehicle/stretch vehicle ratio provisions are designed as a method of ensuring that new companies coming under the regulatory umbrella are legitimate, full-service limousine companies; and

**WHEREAS** the new provisions are not intended to impact negatively on the business operations of existing limousine companies already operating legally within the current Municipal Code provisions;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Report 4, Clause 1, headed ‘Licensing of Livery Vehicles in the City of Toronto’, be re-opened for further consideration, only as it pertains to the ratio of sedan vehicles to stretch vehicles required to obtain a limousine service company licence for existing limousine companies, who held three or more valid livery owner’s licences at the time of the passing of the by-law;

**AND BE IT FURTHER RESOLVED THAT** City Council consider amending Chapter 545, Licensing, so that existing limousine companies, who held three or more valid livery owner’s licences at the time of the passing of the by-law, be exempt from the sedan vehicle/stretch vehicle ratio as it pertains to their existing fleet of vehicles, other than meeting the minimum licence requirement of at least one stretch vehicle, and the sedan vehicle/stretch vehicle ratio apply to these companies on a go-forward basis as they increase the size of their existing fleets;

**AND BE IT FURTHER RESOLVED THAT** the Planning and Transportation Committee hold a public meeting to consider this matter and that notice of the meeting be given, as required by the *Municipal Act, 2001*, and Chapter 162, Notice, Public.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, referred this Motion to the Planning and Transportation Committee.***

**I(3) Damage Resulting from Severe Storm on July 4, 2005 - Request for City Staff to Either Remove Debris or Waive Transfer Station Disposal Fees**

*Moved by Councillor Kelly, seconded by Councillor Jenkins*

“**WHEREAS** a recent storm hit parts of Scarborough and North York on the night of July 4, 2005, with a force reportedly not experienced in 25 years; and

**WHEREAS**, as a result of this violent weather, trees in some parts of North York and Scarborough were severely damaged or uprooted; and

**WHEREAS** seniors, due to disability, fragile physical condition or limited incomes, are seeking help from the City of Toronto to assist in the clean-up and removal of uprooted trees and debris from their private property;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto, upon request, remove storm damaged trees and debris by either picking up the debris free of charge or waiving the fees for seniors dropping off the debris at the City’s Transfer Stations and dump sites within two weeks of the passing of this motion.”

***Disposition:***

***This Motion was withdrawn at City Council on September 28, 29 and 30, 2005.***

Council also considered the following:

- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**I(4) 2005 Pedestrian Sundays in Kensington Market**

*Moved by Councillor Mihevc, seconded by Councillor Moscoe*

“**WHEREAS** City Council, at its June 14-16, 2005 meeting, adopted, as amended, Toronto and East York Community Council Report 5, Clause 66, headed ‘Car Free Sundays in Kensington Market’, and in so doing, decided it would not continue to sponsor the 2005 Pedestrian Sundays in Kensington Market, as in 2004;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 66, headed ‘Car Free Sundays in Kensington Market’, be re-opened for further consideration, only insofar as it pertains to whether the City will sponsor the event in 2005;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto continue to sponsor 2005 Pedestrian Sundays in Kensington Market, as in 2004.”

***Disposition:***

***This Motion was withdrawn at City Council on September 28, 29 and 30, 2005.***

Council also considered the following:

- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**I(5) Proposed Lease Agreement Between TEDCO, the City of Toronto and Toronto Film Studios Inc./Rose Corporation**

*Moved by Councillor Kelly, seconded by Councillor Ootes*

“**WHEREAS** various representatives of the film industry in Toronto have expressed concerns over the proposed contract with Toronto Film Studios Inc. for the development of the Port Lands owned by the Toronto Economic Development Corporation (TEDCO); and

**WHEREAS** members of the industry have repeatedly expressed concerns that the proposed ‘Mega Studio’ deal undermines the principles of fair and healthy competition and threatens the growth of the Toronto film industry; and

**WHEREAS** the City of Toronto and all of its subsidiaries must be fully accountable to the Toronto taxpayer and show full transparency in all its signed and proposed contracts; and

**WHEREAS** the City of Toronto has the responsibility to foster and encourage fair competition to support the growth of the film industry in Toronto;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) any proposed leasing agreement between TEDCO, the City of Toronto and Toronto Film Studios Inc./Rose Corporation be reported to Economic Development and Parks Committee, prior to submission to the next regular meeting of City Council;

- 
- (2) the Auditor General be requested to review any lease between Toronto Film Studios Inc. and TEDCO and report to the Policy and Finance Committee for its meeting on September 20, 2005, on:
    - (a) general adherence within such a lease to the principles identified in TEDCO's January 2004 Request for Proposals (RFP) for the development of a film studio in the Toronto Port Lands;
    - (b) the specific details of any divergence from the Request for Proposals, in particular with respect to the term of any lease and the inclusion of any significant additional parcels of land not contemplated in the RFP;
    - (c) any provisions within a proposed lease agreement that exceed the mandate of TEDCO; and
    - (d) the propriety of processing an application for a rezoning of Toronto Film Studios Inc. 629 Eastern Avenue property while, at the same time, negotiating an agreement and lease for a 'mega-studio' in the Port Lands with the same company;
  - (3) the Chief Planner and Executive Director, City Planning, be requested to review the consequences to the film industry in Toronto of a 'no competition' clause within any lease between TEDCO, the City of Toronto and Toronto Film Studios Inc./Rose Corporation;
  - (4) in view of the Province's recent efforts to stabilize the film industry through expanded tax credits and the City of Toronto's establishment of a Film Board, the Chief Planner and Executive Director, City Planning, be requested to report to the Policy and Finance Committee on whether the land use/land ownership policies of the Province and the Ontario Realty Corporation and the City of Toronto and its agencies are conducive to the goals of enhancing and expanding the film industry in Toronto, and whether land of sufficient dimension and characteristics (including land value) is available to satisfy the current and reasonable expansion needs of film entities being or about to be displaced by Provincial and City of Toronto agencies; and
  - (5) the City Solicitor be requested to report to the Policy and Finance Committee on the issue of TEDCO claiming exemption from the *Municipal Freedom of Information and Protection of Privacy Act*, notwithstanding the fact that the City of Toronto, TEDCO's sole shareholder, is subject to that Act."

***Disposition:***

***City Council on September 28, 29 and 30, 2005, received this Motion. (See also Council's action on Joint Policy and Finance Committee and Economic Development and Parks Committee Report 1, Clause 1, headed "Portlands Film Industry/Media Complex Status Report and Lease Approval, and Available Suitable Space (All Wards)", Page 55.)***

**J(1) Request for Government Action to Lower Gasoline Prices**

*Moved by Councillor Walker, seconded by Councillor Altobello*

**“WHEREAS** current government taxation on gasoline accounts for approximately 15 cents/litre in provincial taxes, 11 cents/litre in federal excise taxes; and

**WHEREAS** the federal government charges 7 percent GST on top of all provincial and federal excise taxes (double taxation) which together account for approximately 40 percent of the pump price, thereby taxing the existing tax; and

**WHEREAS** citizens of the City of Toronto, as well in other towns and cities, are consistently subjected to exorbitant and unexplainable increases in gasoline prices that have occurred to excess over this last several weeks; and

**WHEREAS** given the vast, natural layout of our country, many citizens outside of downtown urban areas must commute long distances to work via automobile and are increasingly unable to afford this due to substantial increases in gasoline prices; and

**WHEREAS** the auto industry is one of the largest job creators in Canada and the recent increase in gasoline prices will directly and negatively affect both the manufacturing and distribution of automobiles and automobile parts; and

**WHEREAS** domestic and foreign trade will undergo significant change as transporters will no longer be able to maintain current contracts as their variable cost of gasoline has far surpassed any normal or projected foreseeable increase; and

**WHEREAS** individual station franchisees cannot possibly argue that gas prices reflect localized supply and demand when centralized offices set the prices for these locations (Petro-Canada, Shell, Imperial Oil, Suncor, etc); and

**WHEREAS** Canada's Big Four Oil Cartel (Petro-Canada, Shell, Imperial Oil, Suncor) raked in record profits last year of well over \$6 billion and at today's prices, profits are likely to be in excess of \$12 billion this year; and



**WHEREAS** Canada has the second largest reserves of petroleum in the world and as such should be immune to these current price fluctuations; and

**WHEREAS** Canada exports over 2 million barrels of crude oil each day and has a refining capacity greater than its domestic consumption, suggesting that it can easily maintain ‘Oil Self-Sufficiency’; and

**WHEREAS** there has been an ongoing public concern as to the possibility of price fixing among the oil companies that cannot be justified in a democracy, especially in our country with its reserves and refining capacity; and

**WHEREAS** the federal government continuously is running up large annual budget surpluses;

**NOW THEREFORE BE IT RESOLVED THAT** City Council demand the federal government to at least temporarily remove the GST on gasoline (petroleum products);

**AND BE IT FURTHER RESOLVED THAT** City Council demand that the federal and/or provincial governments impose price controls on gasoline prices within the province and the country and develop a ‘Made-in-Canada’ pricing system for Canadians.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, referred this Motion to the Policy and Finance Committee.*

**J(2) Parking for Motorized Scooters and Motorcycles**

*Moved by Councillor Ootes, seconded by Councillor De Baeremaeker*

“**WHEREAS** the City of Toronto should do all it can to encourage its residents to use environmentally-friendly modes of transportation, and not penalize them; and

**WHEREAS** Canada is committed to the Kyoto protocol; and

**WHEREAS** Torontonians are being urged to do their part in the federal government’s One-Tonne Challenge (Canada to reduce our annual greenhouse gas emissions by one tonne); and

**WHEREAS** the definition of ‘motorcycle’ under the *Ontario Highway Traffic Act*, means ‘a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a motor scooter, but does not include a motor assisted bicycle’; and

**WHEREAS** motorcycles, as defined in the *Ontario Highway Traffic Act*, use up to 90 percent less gasoline than a regular car or truck; and

**WHEREAS** motorcycles are significantly smaller than other vehicles, use far less road space, thus helping to reduce gridlock, and occupy less parking space when parked at an angle to the curb; and

**WHEREAS** motorcycle operators in Toronto currently experience significant parking problems because other motorists often steal their Pay and Display parking receipts; and

**WHEREAS** the theft of a motorcycle operator's Pay and Display receipt often results in the rider receiving a parking ticket; and

**WHEREAS** the above situations dissuade motorcycle operators from using their more environmentally-friendly vehicles;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto's relevant parking by-laws be amended to exempt motorcycles, as defined in the *Ontario Highway Traffic Act*, from standard parking fees at all on-street parking meters or parking machines;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto's relevant parking by-laws be amended to allow motorcycles, as defined in the *Ontario Highway Traffic Act*, to park, where on-street parking is lawfully allowed, at an angle, but not more than sixty (60) degrees to the curb;

**AND BE IT FURTHER RESOLVED THAT** given the smaller size of motor scooters, appropriate staff of the City of Toronto be requested to review and report to the Works Committee on the feasibility and amendments required to the relevant by-laws to separately define and allow 'motor scooters' to park on sidewalks;

**AND BE IT FURTHER RESOLVED THAT** the Toronto Parking Authority (the 'TPA') submit a report to the Works Committee detailing how the TPA could designate a small area at all of their indoor and outdoor 'Green P' lots where motorcycles, as defined in the *Ontario Highway Traffic Act*, may park for free."

***Disposition:***

***City Council on September 28, 29 and 30, 2005, referred this Motion to the Works Committee.***

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Council also considered the following:

Communication:

- (undated) from Dave McKillop.  
\_\_\_\_\_
- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(3) Aid to Disaster Stricken Areas in Southern United States**  
*Moved by Councillor Ootes, seconded by Councillor Walker*

“**WHEREAS** on August 29, 2005, Hurricane Katrina caused massive flooding in large sections of the states of Louisiana, Mississippi and Alabama in the United States; and

**WHEREAS** this disaster has directly affected millions of Americans; and

**WHEREAS** the magnitude of this disaster has been amplified by a public health epidemic of bacterial infections because the flood waters are contaminated; and

**WHEREAS** Canada has a close relationship with the United States, and this was most recently confirmed by the kind words of appreciation from the U.S. Ambassador to Canada, David Wilkins; and

**WHEREAS** children, women and men are presently living in terrible conditions without adequate shelter, food or clean water; and

**WHEREAS** there is an opportunity to aid these stricken communities by fostering education programs for the many impoverished children and adults of this region over the course of rebuilding their communities; and

**WHEREAS** the metropolitan centre of New Orleans was the most devastated of all the cities and Toronto, as a large city, can empathize with New Orleans during this disaster and can appreciate the many challenges it faces;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council hereby stands in recognition of the immensity of the Hurricane Katrina flood disaster in Louisiana, Mississippi and Alabama;

**AND BE IT FURTHER RESOLVED THAT** on behalf of the citizens of Toronto, City Council approve a contribution of \$1 million towards education programs and rehabilitation aid projects for the relief efforts;

**AND BE IT FURTHER RESOLVED THAT** this donation be distributed through established relief agencies.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, referred this Motion to the Policy and Finance Committee.***

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Council also considered the following:

- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(4) Enhancing Tourism in Toronto with a Recreational Vehicle Campground**

*Moved by Councillor Ootes, seconded by Councillor Ashton*

“**WHEREAS** the City of Toronto and Tourism Toronto should do all they can to increase tourism to our City; and

**WHEREAS** Toronto must be seen as a destination of choice for all types of vacationers, not only those people who stay in hotels and motels; and

**WHEREAS** currently there are no campground facilities in our City that are near the downtown core that accommodate recreational vehicle (RV) enthusiasts; and

**WHEREAS** the potential exists to attract tens of thousands of new tourists to Toronto each year, if our City had such a campground; and

**WHEREAS** Toronto loses a very significant amount of potential revenue from RV travelers who, because of necessity, camp outside of the ‘416’ area (e.g. tourists who camp in the Niagara area) and who may not visit our City at all, or visit for just one day;

**NOW THEREFORE BE IT RESOLVED THAT** the Deputy City Manager and the General Manager of Parks, Forestry and Recreation, working in conjunction with Tourism Toronto, be requested to prepare a report for Council that addresses how we could attract RV tourism to Toronto, including these specific issues:

- (a) potential sites near the downtown core that are easily accessible to public transit (e.g. Exhibition Place, Downsview Park);
- (b) assessment of properties that could accommodate RV campsites, providing access to utilities such as electricity, water and sewage disposal; and
- (c) ideas on how to effectively promote Toronto as a prime camping destination for RV, trailer and motor home enthusiasts;

**AND BE IT FURTHER RESOLVED THAT** staff contact relevant stakeholders to request their input in this process (i.e. the Recreational Vehicle Industry Association, ‘Go RVing’, etc);

**AND BE IT FURTHER RESOLVED THAT** the staff report be included on an agenda of the Economic Development and Parks Committee, no later than February 2006.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, referred this Motion to the Economic Development and Parks Committee.*

**J(5) Contingency Plan For Toronto’s Garbage**

*Moved by Councillor Ootes, seconded by Councillor Balkissoon*

“**WHEREAS** the City of Toronto currently ships 105 truck loads of garbage to Michigan each day; and

**WHEREAS** there is growing evidence that the state of Michigan may choose to close its border with Ontario and make it illegal to deliver, dispose of, or accept municipal garbage generated outside of the United States; and

**WHEREAS** many City of Toronto Councillors are on record as being opposed to any type of state-of-the-art incineration methods to deal with our garbage, such as those used in European countries; and

**WHEREAS** many of these same Councillors opposed the City sending our garbage to Kirkland Lake; and

**WHEREAS** the Mayor of Toronto has repeatedly stressed the need for Toronto City Council to operate in an open and transparent manner, to benefit the citizens of our City; and

**WHEREAS** the Mayor of Toronto has spoken about his belief that ‘every elected official in every government must have a personal and professional commitment to honesty, transparency, and responsibility’; and

**WHEREAS** the Mayor of Toronto has spoken about the need to undertake a governance review to make Councillors and Committees more accountable, and work to improve and increase the information we provide to the public about business at City Hall; and

**WHEREAS** the Chair of the City’s Works Committee was recently quoted as saying that a ‘confidential contingency plan’ exists, should Michigan close its border to our garbage; and

**WHEREAS** the City's impending garbage disposal crisis is of great importance to Toronto's residents; and

**WHEREAS** Toronto citizens have a right to know what contingency plans have been made, should Michigan ever refuse to accept our garbage;

**NOW THEREFORE BE IT RESOLVED THAT** the Chair of the Works Committee bring forward a report to the October 26, 2005 meeting of City Council, that outlines the details of this 'confidential contingency plan' and make it a matter of public record;

**AND BE IT FURTHER RESOLVED THAT** the Works Committee ensure that the public is given an opportunity to make deputations regarding this garbage disposal contingency plan, at the earliest opportunity."

*Disposition:*

*City Council on September 28, 29 and 30, 2005, referred this Motion to the Works Committee.*

**J(6) Involvement of Members in Matters Arising in Other Members' Wards**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

"**WHEREAS** City Council on February 1, 2 and 3, 2005, by its adoption of Policy and Finance Committee Report 2, Clause 19, requested the Integrity Commissioner to consider whether it is appropriate for a Member of Council, personally or through a staff member or other representative, to intervene on a ward matter in another member's ward, and if so, under what circumstances; and

**WHEREAS** the Integrity Commissioner has prepared the attached report dated September 12, 2005 in response to Council's request;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report (September 12, 2005) from the Integrity Commissioner and that the recommendations contained in the Recommendations Section of the report be adopted."

*Disposition:*

*City Council on September 28, 29 and 30, 2005, amended this Motion by adding the following new Operative Paragraph:*

***“AND BE IT FURTHER RESOLVED THAT the protocol to be developed for Members of Council be consistent with and support the staff protocol that was approved by City Council on February 1, 2 and 3, 2005.”***

***Motion J(6), as amended, was adopted by City Council.***

***In adopting Motion J(6), as amended, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 12, 2005) from the Integrity Commissioner:***

***“It is recommended that Council:***

- (1) affirm the principle that a Member of Council may intervene on a ward matter in another Member’s ward;***
- (2) direct the City Manager (in consultation with the Integrity Commissioner) to prepare for Council a Protocol on Members of Council intervening on a ward matter in another Member’s ward; and***
- (3) direct the City Manager (in consultation with the Integrity Commissioner) to prepare for Council amendments to the Code of Conduct for Members of Council reflecting the Protocol’s standards for intervention on a ward matter in another Member’s ward.”***

Council also considered the following:

- Report (September 12, 2005) from the Integrity Commissioner.

**J(7) Report on the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

**“WHEREAS** on September 12, 2005, Madame Justice Denise Bellamy transmitted her report on the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry to the Mayor and Members of Council; and

**WHEREAS** Madame Justice Bellamy has recommended that the Mayor report to Council, at the first Council meeting after the first anniversary of the release of her report, on the progress made to implement the report’s recommendations;

**NOW THEREFORE BE IT RESOLVED THAT** the City Manager be directed to review the findings and recommendations contained in Madame Justice Bellamy's report on the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry, and report to the Policy and Finance Committee meeting on November 22, 2005, on a work plan and timeline for implementation of the recommendations."

***Disposition:***

***City Council on September 28, 29 and 30, 2005, amended this Motion by:***

**(1) *amending the first Operative Paragraph by:***

- (a) *inserting the words "to consult with all Members of Council and", after the words "be directed"; and***
- (b) *inserting the words "in consultation with the Integrity Commissioner and the Auditor General", after the words "City Manager",***

***so that the first Operative Paragraph now reads as follows:***

***"NOW THEREFORE BE IT RESOLVED THAT the City Manager, in consultation with the Integrity Commissioner and the Auditor General, be directed to consult with all Members of Council and review the findings and recommendations contained in Madame Justice Bellamy's report on the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry, and report to the Policy and Finance Committee meeting on November 22, 2005, on a work plan and timeline for implementation of the recommendations;"; and***

**(2) *adding the following new Operative Paragraphs:***

***"AND BE IT FURTHER RESOLVED THAT the report of Madame Justice Bellamy be referred to:***

- (1) *the Toronto Police Service for forwarding to another Police Service for investigation; and***
- (2) *Canada Customs and Revenue (Revenue Canada) with attention drawn to the report as it pertains to Jim Andrew, Dash Domi, Tom Jakobek, Wanda Liczyk and Jeff Lyons;***

***AND BE IT FURTHER RESOLVED THAT the City Manager be requested to:***



- (1) *include in her report mechanisms for providing information to Council concerning investigations being undertaken with respect to alleged impropriety or inappropriate conduct by staff or Members of Council; and*
- (2) *report to the Policy and Finance Committee on ways to ensure that new and existing employees acknowledge the requirements of the Conflict of Interest Policy;*

***AND BE IT FURTHER RESOLVED THAT the Integrity Commissioner be requested to look into the Province's conflict of interest and declaration policy for elected officials and senior staff, and report to Council, through the Policy and Finance Committee;***

***AND BE IT FURTHER RESOLVED THAT the City Clerk, on behalf of City Council, be requested to:***

- (1) *file a complaint to the Institute of Chartered Accountants of Ontario with respect to Wanda Liczyk's conduct as Chief Financial Officer and Treasurer of the City of Toronto, as evidenced in Madame Justice Bellamy's report;*
- (2) *request the Law Society of Upper Canada to investigate the conduct of Jeff Lyons, as evidenced in Madame Justice Bellamy's report; and*
- (3) *provide a summary sheet of the Council procedural rules for the reference of Members of Council for each meeting of City Council;*

***AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to report to the Policy and Finance Committee on any civil remedies that the City may have with respect to this matter;***

***AND BE IT FURTHER RESOLVED THAT City Council extend its appreciation to Madame Justice Denise Bellamy and her staff for their excellent work on the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry."***

***Motion J(7), as amended, was adopted by City Council***

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Council also considered the following:

- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(8) Amendment to By-law No. 646-2005 which Levied Certain Amounts on Public Hospitals and Provincial Mental Health Facilities for the Years 1999, 2000 and 2001**

*Moved by Councillor Soknacki, seconded by Councillor Rae*

“**WHEREAS** on July 19, 20, 21 and 26, 2005, City Council enacted By-law No. 646-2005, being a by-law to amend By-laws Nos. 594-1999, 504-2000 and 656-2001, being by-laws to levy amounts on certain Public Hospitals and Provincial Mental Health Facilities for the years 1999, 2000 and 2001 respectively, in response to revised capacity figures issued by the Ministry of Municipal Affairs and Housing; and

**WHEREAS** the ‘2000 Amount’ for the Wellesley Central Hospital in Section 2(2) of By-law No. 646-2005 was incorrectly transcribed as \$44,500.00;

**NOW THEREFORE BE IT RESOLVED THAT** Council approve that By-law No. 646-2005, be amended by correctly identifying the 2000 amount for the Wellesley Central Hospital in subsection 2(2) as \$44,550.00;

**AND BE IT FURTHER RESOLVED THAT** authority be provided for the introduction of the necessary bills in Council, and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

**J(9) Amendment to By-law No. 293-2005 respecting the Northern Elms Branch Library, 123 Rexdale Boulevard**

*Moved by Councillor Soknacki, seconded by Councillor Ford*

“**WHEREAS** City Council at its meeting on April 12, 13 and 14, 2005, adopted By-law No. 293-2005, being a by-law to authorize the entering into of an agreement for the provision of a municipal capital facility by 994480 Ontario Limited, at 123 Rexdale Boulevard, the Northern Elms Branch Library; and

**WHEREAS** By-law No. 293-2005 incorrectly identifies 994480 Ontario Limited as the ‘Owner’ of 123 Rexdale Boulevard;

**WHEREAS** 994480 Ontario Limited is, in fact, not the owner of this property, but a long-term lessee by virtue of a ground lease of 123 Rexdale Boulevard;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 4, Clause 27, headed ‘Tax Exemption for Northern Elms Branch Library (Ward 2 - Etobicoke North)’, be re-opened for further consideration, only for the purpose of correcting the references to 994480 Ontario Limited;

**AND BE IT FURTHER RESOLVED THAT** By-law No. 293-2005 be amended to accurately reflect that 994480 Ontario Limited is a long-term lessee by virtue of a ground lease of 123 Rexdale Boulevard;

**AND BE IT FURTHER RESOLVED THAT** authority be provided for the introduction of the necessary bills in Council, and that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, re-opened Policy and Finance Committee Report 4, Clause 27, headed “Tax Exemption for Northern Elms Branch Library (Ward 2 - Etobicoke North)”, for further consideration, only for the purpose of correcting the references to 994480 Ontario Limited, and adopted the balance of this Motion, without amendment.***

**J(10) Joint Marketing Campaign for the “You Belong Here” Tagline/Slogan**

*Moved by Councillor Shiner, seconded by Mayor Miller*

“**WHEREAS** the Marketing Working Group of the Toronto Film Board has agreed to a joint marketing campaign to be used by the Ontario Media Development Corporation, FilmOntario, and the City of Toronto; and

**WHEREAS** a joint marketing campaign is needed to attract the film and television business to the City of Toronto; and

**WHEREAS** the Toronto Film Board at its meeting on September 22, 2005, approved the use of the tagline/slogan ‘You Belong Here’ for this marketing campaign; and

**WHEREAS** the Ontario Media Development Corporation and FilmOntario have also agreed to use the tagline/slogan ‘You Belong Here’; and

**WHEREAS** the City's Legal Division advises that Council approval is required to authorize this slogans use by parties other than the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** City Council authorize the use of 'You Belong Here' by the City's film and television industry partners for use on a Web site and other marketing materials and that authority be delegated to the Manager of the Toronto Film and Television Office to manage the use of the slogan for the purposes of marketing the film and television industry."

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

**J(11) Request for City Legal Representation - OMB Appeal, 1601 Birchmount Road**

*Moved by Councillor Thompson, seconded by Councillor Moscoe*

"**WHEREAS** the owners of the land at 1601 Birchmount Road made applications to the Committee of Adjustment to permit a total of 37 parking spaces for all uses on the property, whereas the Zoning By-law requires 49 parking spaces for all uses on the property; and

**WHEREAS** the Committee of Adjustment on March 10, 2004 granted a minor variance to permit 37 parking spaces for all uses on the property, whereas 46 parking spaces were required; and

**WHEREAS** the Committee of Adjustment, Scarborough Panel, refused to approve the applications because of the concerns regarding insufficient on site parking and the impact of the spill-over parking on adjacent streets and abutting properties; and

**WHEREAS** the owners have appealed the Committee of Adjustment's Decisions to the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to attend the hearing of the Ontario Municipal Board and be authorized to hire outside planning staff to support the Committee of Adjustment's decision to refuse the applications."

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

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Council also considered the following:

- Notice of Decision (August 10, 2005) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel.

**J(12) Request to Setup a Special Account for Donations to Develop the Ward 37 Skateboard Park**

*Moved by Councillor Thompson, seconded by Councillor De Baeremaeker*

“**WHEREAS** City Council, at its meeting on February 21, 22 and 23, 2005, approved a Capital Budget Allocation in the amount of \$50,000.00 for a public consultation process which included hiring a consultant to find a location and design a skateboard park in Ward 37; and

**WHEREAS** the Parks, Forestry and Recreation Division, in collaboration with the Ward Councillor, sponsored a public consultation meeting which was held on September 22, 2005 at the Ellesmere Community Centre; and

**WHEREAS** the public consultation meeting/workshop was well attended by youth, parents and grandparents from all parts of Ward 37; and

**WHEREAS** those in attendance at the consultation meeting enthusiastically supported the creation of a skateboard park in Ward 37, as well as volunteering to assist with everything from design to fundraising activities; and

**WHEREAS** a number of companies and individuals have expressed an interest in donating funds and/or in-kind services to assist with the development of the skateboard park;

**NOW THEREFORE BE IT RESOLVED THAT** the appropriate City staff, in consultation with the Ward Councillor, be requested to prepare a report to the next Economic Development and Parks Committee as to the specifics required in setting up an obligatory reserve fund called ‘Ward 37 Skateboard Park Reserve Fund’ for receiving donations towards the development of the skateboard park.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

**J(13) Moratorium on Front Yard Parking Applications in Ward 26 (Don Valley West)**

*Moved by Councillor Pitfield, seconded by Councillor Mihevc*

“**WHEREAS** City Council, at its meeting on June 14, 15 and 16, 2005, adopted, as amended, Toronto and East York Community Council Report 5, Clause 25, headed ‘Front Yard Parking and Driveway Widening (All Wards)’; and

**WHEREAS** included in this report was a request ‘that the Acting General Manager, Transportation Services, be requested to report to the Works Committee on adopting a policy prohibiting Front Yard Parking in Ward 26’; and

**WHEREAS** the General Manager, Transportation Services has indicated that his report will be coming forward to the November 8, 2005 meeting of the Works Committee; and

**WHEREAS** at its September 19, 2005 meeting, the Toronto and East York Community Council approved a motion by Councillor Mihevc which requests that a moratorium on front yard parking applications south of St. Clair Avenue West, be put in place [TEYCC 7(95) refers];

**NOW THEREFORE BE IT RESOLVED THAT** a moratorium be placed on front yard parking applications in Ward 26, Don Valley West, until such time as the General Manager’s report on a policy prohibiting Front Yard Parking in Ward 26, Don Valley West, has been considered by City Council.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

**J(14) Request for Further Appeal to Ontario Municipal Board - 15 Glen Morris Street**

*Moved by Councillor Chow, seconded by Deputy Mayor Pantalone*

“**WHEREAS** the developer appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, as amended, Council’s refusal to enact a proposed amendment to the Official Plan for the City to redesignate 15 Glen Morris Street to permit the development of a residential apartment building of up to 25 metres (8 storeys) in height; and

**WHEREAS** the City defended its refusal at the Ontario Municipal Board; and

**WHEREAS** the development is more than double the height allowed in the area and six times the density; and

**WHEREAS**, the Ontario Municipal Board, in its decision of September 20, 2005, allowed the appeal and approved the amendments to the Official Plan and to the by-law;

**NOW THEREFORE BE IT RESOLVED THAT** the City take leave to re-appeal the Ontario Municipal Board's decision and request that the file be re-heard by a different Board member."

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

- Ontario Municipal Board Decision/Order No. 2464 (September 20, 2005).

**J(15) Liquor Licence Matters - 240 Richmond Street West - Krave Nightclub Inc.**  
*Moved by Councillor Chow, seconded by Deputy Mayor Pantalone*

**“WHEREAS** the Alcohol and Gaming Commission of Ontario (AGCO) is reviewing the application for additional facilities for the liquor sales licence of 1648569 Ontario Inc. operating as Krave Nightclub Inc., located at 240 Richmond Street West, Toronto, Ontario, under AGCO licence number 201419, since approximately June 2005; and

**WHEREAS** Krave Nightclub Inc. holds a business licence issued by the City of Toronto for the premises in which Krave Nightclub Inc. operates at 240 Richmond Street West, Toronto, Ontario; and

**WHEREAS** local residents, 52 Division - Toronto Police Service and the Ward Councillor's Office have significant concerns with respect to the numerous Provincial Offences and breaches in the City's Municipal Code that have occurred in the past, when the establishment operated as The Pearl Lounge, and similar problems are continuing under the new name; and

**WHEREAS** the AGCO advises that Paul Facecchia is an Officer of 1648569 Ontario Inc., and Krave Nightclub Inc. and Emilio Ciampa has a beneficial interest in 1648569 Ontario Inc., and both are involved in the management of Krave Nightclub Inc., and were previously involved in the management of The Pearl Lounge; and

**WHEREAS** when these premises operated as The Pearl Lounge, the AGCO ordered the suspension of its liquor licence on two occasions; in 2004 there was a thirty (30) day suspension for violations of the *Liquor Licence Act* including overcrowding, permitting disorderly and quarrelsome conduct and permitting removal of liquor from premises; in 2005 there was a seventy (70) day suspension (served between February 27, 2005 to May 8, 2005) for violations of the *Liquor Licence Act*, including overcrowding, promoting immoderate consumption, permitting drunkenness and permitting use of narcotics on the premises; and

**WHEREAS** the management of the operations has not changed significantly from when it operated The Pearl Lounge to show any appreciation for compliance with the applicable laws, regulations and responsible business practices; and

**WHEREAS** there is further indication that poor management practices will continue, as there are similar complaints regarding another licensed establishment located nearby at 296 Richmond Street West, Toronto, Ontario, by another company in which Mr. Facecchia is listed as an officer, Metro Bar Inc.; and

**WHEREAS** Metro Bar Inc. has had over 14 charges of violations laid by Toronto Police Services over eight separate dates in 2005 alone (described in Schedule 'A' attached) and Toronto Police Services has advised the Ward Councillor that despite several warnings, management continues to violate applicable laws and regulations in particular those activities in which there have been previous Provincial Offence charges and disciplinary action taken by the AGCO; and

**WHEREAS** Toronto Police Services has also advised the Ward Councillor that there is an ongoing threat to public safety to patrons, pedestrians, neighbours and police officers in the area because of the nature of the violations taking place, and as such Toronto Police Services is not in support of an expansion of the current liquor licence; and

**WHEREAS** the past and present conduct of management of these operations affords reasonable grounds for belief that its business will not be carried on in accordance with the law and with integrity and honesty, and further, for the above listed reasons, an expansion of this liquor licence is not in the public interest having regard to the needs and wishes of the residents of the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** Council advise the AGCO of the City of Toronto's opposition to the expansion of this liquor sales licence, and further instructs that a copy of this resolution be provided to the AGCO;

**AND BE IT FURTHER RESOLVED THAT** the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving a review of the application for expansion of the liquor sales licence of 1648569 Ontario Inc. operating as Krave Nightclub Inc. and that the City Solicitor and necessary staff be authorized to participate in any such proceedings."

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

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Council also considered the following:



- Schedule "A" - Current Charges against Metro Bar Inc., 296 Richmond Street West.

**J(16) Liquor Licence Matters - 296 Richmond Street West - Metro Bar Inc.**

*Moved by Councillor Chow, seconded by Deputy Mayor Pantalone*

**"WHEREAS** Metro Bar Inc. operates an entertainment facility called Metro Bar at 296 Richmond Street West, Toronto, Ontario, which holds a current liquor licence issued by the Alcohol and Gaming Commission of Ontario (AGCO) and a business licence issued by City of Toronto, Municipal Licensing and Standards (MLS); and

**WHEREAS** the AGCO advises that Paul Facecchia is an Officer of Metro Bar Inc., and another nearby entertainment facility, located at 240 Richmond Street West, Toronto; and

**WHEREAS** Toronto Police Services has advised the Ward Councillor that there have been many Provincial Offence violations at these premises in a six-month period between February and August, 2005, with many of the violations being repeat violations (described in attached Schedule 'A'), and the offences of overcrowding and permitting drunkenness are of the most concern to the Toronto Police Services as these offences directly impact the safety of the patrons, residents and public at large; and

**WHEREAS** the AGCO advises that Mr. Facecchia also operates another entertainment facility located at 240 Richmond Street West, Toronto, known as The Pearl Lounge until June 2005, and then known as its current operation - Krave Nightclub Inc.; and

**WHEREAS** when Krave Nightclub Inc. operated as The Pearl Lounge, the AGCO ordered the suspension of its liquor licence on two occasions; in 2004 there was a thirty (30) day suspension for violations of the *Liquor Licence Act* including overcrowding, permitting disorderly and quarrelsome conduct and permitting removal of liquor from the premises; in 2005 there was a seventy (70) day suspension (served between February 27, 2005 to May 8, 2005) for violations of the *Liquor Licence Act*, including overcrowding, promoting immoderate consumption, permitting drunkenness and permitting use of narcotics on the premises; and

**WHEREAS** the Toronto Police Services has advised the Ward Councillor that despite several warnings, management continues to violate applicable laws and regulations; in particular those activities in which there have been previous Provincial Offence charges laid and disciplinary action taken by the AGCO, and that there has been no noticeable change in the management practices to curb these violations;

**WHEREAS** the Toronto Police Service has also advised the Ward Councillor that there is an ongoing threat to public safety to patrons, pedestrians, neighbours and police officers in the area because of the nature of the violations taking place and as such Toronto Police Services has requested Council's support to take disciplinary action against Metro Bar Inc.;

**WHEREAS** the past and present conduct of management of these operations affords reasonable grounds for belief that its business will not be carried on in accordance with the law and with integrity and honesty, and further, for the above listed reasons, the continuation of this liquor licence without restrictions or review of its management is not in the public interest having regard to the needs and wishes of the residents of the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the AGCO of the City of Toronto's opposition to the unconditional continuation of this liquor sales licence and request the AGCO to review its operations to determine if disciplinary action may be appropriate for all the reasons noted above, and further instruct that a copy of this resolution be provided to the AGCO and Metro Bar Inc.;

**AND BE IT FURTHER RESOLVED THAT** the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving a review of the liquor licence of Metro Bar Inc., operating as Metro Bar, and that City Solicitor and necessary staff be authorized to participate in any such proceedings;

**AND BE IT FURTHER RESOLVED THAT** City Council authorize the City Clerk to advise the Executive Director, Municipal Licensing and Standards, that City Council opposes the continuation of the business licence at these premises because the past conduct of the management of the business, and the ongoing and increasing Provincial Offence violations affords reasonable grounds for belief that the business has not been and will not be carried on in accordance with law and integrity and honesty, and further affords reasonable grounds for belief that the carrying on of the business has endangered and would endanger the safety of other members of the public unless there are conditions imposed which would address the concerns of the Toronto Police Service and/or disciplinary action imposed which would deter further violations from occurring, and also to provide a copy of the Council resolution to MLS and Metro Bar Inc."

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

- Schedule "A" - Current Charges against Metro Bar Inc., 296 Richmond Street West.

**J(17) Removal of Thursday Parking Prohibition - St. Clarens Avenue, between College Street and Bloor Street West (Davenport, Ward 18)**

*Moved by Councillor Giambrone, seconded by Councillor Carroll*

“**WHEREAS** City Council, at its meeting on June 14, 15 and 16, 2005, adopted, as amended, Toronto and East York Community Council Report 5, Clause 36, headed ‘Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)’, and in so doing, approved the implementation of a trial program to institute a system of alternate side parking, to take place on each Thursday of each week, from April 1 to November 30, 2005, on a number of streets within the area bounded by Bloor Street West, CN rail corridor, College Street and Dufferin Street in Ward 18; and

**WHEREAS** the residents of St. Clarens Avenue, between College Street and Bloor Street West, are not supportive of this project and have requested that this program be suspended on their individual street;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 36, headed ‘Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)’, be re-opened for further consideration, only as it pertains to St. Clarens Avenue, between College Street and Bloor Street West;

**AND BE IT FURTHER RESOLVED THAT:**

- (4) the alternative side parking prohibition in effect each Thursday, from April 1st to November 30th, 2005, on St. Clarens Avenue, between College Street and Bloor Street West, be rescinded;
- (5) the on-street disabled persons parking spaces on St. Clarens Avenue, between College Street and Bloor Street West, which operate on an alternate side basis on each Thursday, from April 1<sup>st</sup> to November 30<sup>th</sup>, 2005, be rescinded; and
- (6) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, re-opened Toronto and East York Community Council Report 5, Clause 36, headed “Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)”, for further consideration, only as it pertains to St. Clarens Avenue, between College Street and Bloor Street West.***

***Council postponed consideration of the balance of this Motion to its next regular meeting on October 26, 2005.***

**J(18) Appointment of Downtown Yonge BIA Representative to the Yonge Dundas Square Board of Management**

*Moved by Councillor Rae, seconded by Councillor McConnell*

“**WHEREAS** on January 28, 2004, City Council appointed members to the Board of Management of the Yonge-Dundas Square for the 2003-2006 term; and

**WHEREAS** Section 636-7 of the Municipal Code sets out the structure of the Board, which is to be comprised of 13 members including one representing the Downtown Yonge Business Improvement Area; and

**WHEREAS** the Downtown Yonge BIA representative that Council appointed, Mr. Keith Travis, has left the Downtown Yonge BIA; and

**WHEREAS** the Downtown Yonge BIA has nominated Mr. Neil Miller as its new representative on the Yonge-Dundas Square Board of Management;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council appoint Mr. Neil Miller to the Yonge-Dundas Square Board of Management as the Downtown Yonge Business Improvement Area representative for the remainder of the 2003-2006 term;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

**J(19) Report Request - Severance Agreements for Senior Staff**

*Moved by Councillor Pitfield, seconded by Councillor Del Grande*

“**WHEREAS** the City of Toronto has seen an unprecedented wave of departures by senior and middle managers; and

**WHEREAS** the decisions to not renegotiate contracts are not always being approved by City Council, and there is no indication what overall benefit is being achieved; and

**WHEREAS** there is some concern with the expense the City is incurring due to these recent departures; and

**WHEREAS** the loss of these senior/middle management positions can be a loss of expertise and experience vital to the day-to-day operations of the City; and

**WHEREAS** the manner in which the contracts are not renewed can impact the morale of departmental staff; and

**WHEREAS** Recommendation (84) of The Honourable Madam Justice Bellamy’s report states that ‘the Mayor should be involved in hiring the City Manager and should have limited input into hiring the small handful of officials immediately below the City Manager. Beyond that, all City hiring should be entirely free of input or influence from the Mayor or individual Councillors.’;

**NOW THEREFORE BE IT RESOLVED THAT** the City Manager report back to the Policy and Finance Committee on the total amount the City has paid out and/or committed to in severance agreements to date, from December 1, 2003;

**AND BE IT FURTHER RESOLVED THAT** this total include the amount the Toronto Police Services has paid out and/or committed to in severance agreements to-date, from December 1, 2003.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

**J(20) Request for Attendance at Ontario Municipal Board Hearing  
- 74 Renfield Street**

*Moved by Councillor Di Giorgio, seconded by Councillor Nunziata*

“**WHEREAS** on Thursday, May 12, 2005, the Committee of Adjustment for the City of Toronto, Etobicoke York Panel, refused consent and minor variance (Application Nos. B36/05EYK, A162/05EYK and A163/05EYK) related to 74 Renfield Street; and

**WHEREAS** the proposal was to sever the property into two undersized lots and to seek a number of variances from the zoning by-law provisions to allow the construction of two, two-storey dwellings, each with a below grade single car garage; and

**WHEREAS** staff from City Planning recommended refusal of the applications; and

**WHEREAS** the applicant appealed the Committee of Adjustment decision to the Ontario Municipal Board, and a hearing for August 31, 2005 was adjourned and a new hearing date has not yet been scheduled;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the City Solicitor and applicable City staff to attend at the Ontario Municipal Board to oppose consent and minor variance Application Nos. B36/05EYK, A162/05EYK and A163/05EYK respectively, related to 74 Renfield Street.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

- 3 Notices of Decision (May 20, 2005) from the Manager and Deputy Secretary Treasurer, Etobicoke York Panel, respecting 74 Renfield Street, 74 Renfield Street (Part 1), and 74 Renfield Street (Part 2).

**J(21) Review of Tender Process for TTC Track Reconstruction on St. Clair Avenue**

*Moved by Councillor Balkissoon, seconded by Deputy Mayor Feldman*

“**WHEREAS** the City of Toronto issued Tender 181-2005 for reconstruction of TTC track allowance on St. Clair Avenue; and

**WHEREAS** the Purchasing and Materials Management Division issued Addendum 3 to the above Tender in order to clarify the manner of completing Item 61 on Schedule ‘A’ to the Tender; and

**WHEREAS** six bids were received on the scheduled closing and the results were made public in accordance with the City’s normal practice; and

**WHEREAS** the two lowest bidders did not comply with Addendum 3 above, and were deemed to be informal by the Purchasing and Materials Management Division, which assessment was confirmed by City of Toronto Legal Services; and

**WHEREAS** City staff prepared, printed and submitted a report for inclusion on the agenda of the Works Committee, awarding the tender to the next lowest bidder, Brennan Paving and Construction Ltd.; and

**WHEREAS** upon complaint in writing from one of the non-compliant bidders, the City of Toronto issued a Notice of Cancellation of Tender 181-2005; and

**WHEREAS** on the day of the scheduled Works Committee meeting, the City staff removed the report from the Works Committee agenda; and

**WHEREAS** the City of Toronto on September 19, 2005, reissued a call for Tender upon virtually the same work as the original Tender, thereby placing those bidders who responded to Tender 181-2005 and whose bids were made public, in a very difficult position in that they are being asked to re-bid the same work; and

**WHEREAS** the Ontario Road Builders' Association in a letter dated September 19, 2005 directed to Mr. Jim Matera of the Purchasing and Materials Management Division, and which letter has been sent to all City Councillors, expressed concern that the approach taken by the City is 'not in keeping with generally accepted industry practices and ethics', and is 'patently unfair to the low compliant bidder'; and

**WHEREAS** the City of Toronto wishes to proceed with all due speed, and at the least legal risk, with the reconstruction of the TTC track allowance on St. Clair Avenue;

**NOW THEREFORE BE IT RESOLVED THAT** the Deputy City Manager, Mr. Fareed Amin, in consultation with the City Solicitor, prepare a report to the next Works Committee and the Policy and Finance Committee to outline the relative risks involved in awarding the Tender to the lowest compliant bidder, versus the re-tendering, without significant change to the scope of work;

**AND BE IT FURTHER RESOLVED THAT** staff be directed to extend the closing date of the current re-tender until the Policy and Finance Committee has had the opportunity to deliberate on this issue."

*Disposition:*

*City Council on September 28, 29 and 30, 2005, referred this Motion to the Works Committee.*

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Council also considered the following:

- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(22) Request to Restrict Hours of Operation at 1 Connie Street (Ward 12, York South-Weston)**

*Moved by Councillor Di Giorgio, seconded by Councillor Li Preti*

**“WHEREAS** the City of Toronto has determined that the existing use on the property at 1 Connie Street is unlawful since it is in violation of the North York Zoning By-law as amended in 1997, and in violation of the previous North York Zoning By-law established in 1952; and

**WHEREAS** the issue of lawful use of the property is currently before the Courts because the owner is seeking legal non-conforming status and the right to continue the existing use; and

**WHEREAS** intensification of use has occurred on the site and the business hours of operation have progressively expanded over the years and now encompass a 24-hour operation with a total disregard of the adverse impact on the adjacent residential community; and

**WHEREAS** the ill conceived intensification on this site includes boulevard parking permission that has subsequently spawned illegal commercial boulevard parking on the rest of the properties to the north of the subject site; and

**WHEREAS** City Council has previously resolved that the business hours of operation on the site should be controlled because the use is intolerable and creates a nuisance in the community; and

**WHEREAS** there are other violations that persist and that are independent of the use, including parking deficiencies, landscaping deficiencies, accessory buildings without permits and undesignated storage areas that have somehow escaped detection; and

**WHEREAS** these deficiencies are properly remedied through the planning process;

**NOW THEREFORE BE IT RESOLVED THAT** Council direct the City Solicitor and the Executive Director, Municipal Licensing and Standards Division, to encourage and ensure that the owner submit a Committee of Adjustment application or a re-zoning application to seek the necessary relief on the zoning permissions and that in the alternative, additional charges be laid;



**AND BE IT FURTHER RESOLVED THAT** in the interim, City Council direct the Executive Director, Municipal Licensing and Standards Division to restrict the hours of operation at 1 Connie Street, to prohibit activity such as delivering, unloading, loading, or otherwise handling of any garbage containers in an unenclosed area, during the hours of 9:00 p.m. one day, to 7:00 a.m. the next day, 9:00 a.m. Sundays and statutory holidays;

**AND BE IT FURTHER RESOLVED THAT** the boulevard parking permission not be renewed at this site until the matter of intensification is resolved through the planning process.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

- Extract from the September 22, 23, 24 and 25, 2003 City Council Certificate of Amendments, respecting Motion J(65) - Request for Report on Amendment to the Noise By-law - Handling of Garbage.

**J(23) Revised Request to Dispense Voluntary Contribution from Shoppers Drug Mart for Streetscaping and Business Improvement Projects - 351 Queen Street East**

*Moved by Councillor McConnell, seconded by Councillor Rae*

**“WHEREAS** during the review of a site plan application at 351 Queen Street East, representatives of Shoppers Drug Mart expressed an interest in providing a contribution for streetscape improvements; and

**WHEREAS** we are now in receipt of a voluntary donation in the amount of \$16,391.27 from Shoppers Drug Mart for streetscape improvements in the area of Queen Street East and Parliament Street; and

**WHEREAS** a similar Motion was adopted by Council on June 14, 15 and 16, 2005, indicating that the funds would be used for streetscaping improvements; and

**WHEREAS** the community has indicated they would like to use the funds for business development projects;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(12), moved by Councillor McConnell, seconded by Councillor Rae, respecting a Request to Receive Voluntary Contribution from Shoppers Drug Mart for Streetscape Improvements, adopted by City Council on June 14, 15 and 16, 2005, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** the required adjustments be made to the Economic Development Division Operating Budget and the funds be used for the purposes of business improvement and promotion projects in the area near Queen Street East and Parliament Street;

**AND BE IT FURTHER RESOLVED THAT** the Economic Development Division work with the Ward Councillor and local residents through the Corktown Residents and Business Association, and the Queen East Business and Residents Association to identify and undertake suitable projects in the area.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, re-opened Motion J(12), moved by Councillor McConnell, seconded by Councillor Rae, respecting a Request to Receive Voluntary Contribution from Shoppers Drug Mart for Streetscape Improvements, adopted by City Council on June 14, 15 and 16, 2005, for further consideration, and adopted the balance of this Motion, without amendment.*

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Council also considered the following:

- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(24) Funding Request for Tenant Representation for Possible Appeal to the Ontario District Court - 1765 and 1775 Weston Road (Ward 11, York South-Weston)**

*Moved by Councillor Nunziata, seconded by Councillor Walker*

“**WHEREAS** at its September 27, 2005 meeting, the Tenant Defence Sub-Committee received a staff report on the status of the Ontario Rental Housing Tribunal hearings held concerning 1765 and 1775 Weston Road; and

**WHEREAS** it was reported that the Ontario Rental Housing Tribunal issued an interim order on September 14, 2005, which ruled in favour of the tenants, and ruled the landlord liable for payment to the tenants of an abatement of rent and/or other damages; and

**WHEREAS** Members of the Tenant Defence Sub-Committee expressed their concern about the possibility of the landlord appealing the Tribunal's interim or final order to the Ontario District Court; and

**WHEREAS** the condition of these two buildings have been described as being severely neglected with numerous property standards orders resulting in the lack of heat, water and electricity; and

**WHEREAS** tenants have had to endure cockroaches, breakdowns and poor maintenance;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto allocate up to \$10,000.00 to enable the engagement of outside legal counsel in the event that either the interim and/or final orders of the Ontario Rental Housing Tribunal are appealed to the Ontario District Court, in order to ensure adequate legal representation of the tenants of 1765 and 1775 Weston Road;

**AND BE IT FURTHER RESOLVED THAT** the tenants be urged to consult with York Community Legal Services to identify the most appropriate legal representation for them.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(25) Canada Council for the Arts - Support for Increased Federal Funding**

*Moved by Councillor Rae, seconded by Mayor Miller*

“**WHEREAS** the arts enrich the lives of Torontonians and Canadians and a vibrant arts community is a fundamental component of a modern and progressive city; and

**WHEREAS** the arts celebrate and showcase the broad cultural diversity of Toronto and help build and shape our sense of community; and

**WHEREAS** the arts sector is vital to the economic growth of Toronto, creating jobs and investment and attracting foreign visitors; and

**WHEREAS** three quarters of Canada's artists live in metropolitan areas making Toronto, as Canada's largest city, a leader in creativity and innovation; and

**WHEREAS** the Canada Council for the Arts is the central vehicle for supporting and promoting the arts in Canada and the key vehicle for investments in arts infrastructure; and

**WHEREAS** the Canadian Arts Coalition, a partnership of 30 national arts service organizations, has called for an increase in federal funding to the Canada Council by \$5 per capita; and

**WHEREAS** the City of Toronto Culture Plan encourages the provincial and federal governments to sustain a vibrant cultural community in Toronto through appropriate levels of investment in arts and culture;

**NOW THEREFORE BE IT RESOLVED THAT** City Council support the initiative of the Canadian Arts Coalition by encouraging the federal government to increase funding to the Canada Council for the Arts by \$5 per capita."

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

**J(26) City of Toronto Emergency Preparedness Plan - Public Communication**

*Moved by Councillor Saundercook, seconded by Councillor Grimes*

"**WHEREAS** the recent disaster in New Orleans in the aftermath of Hurricane Katrina is a reminder to the City of Toronto how critically important it is to have an effective emergency management plan; and

**WHEREAS** information must be communicated to the public in an effective and coordinated manner prior to and/or during an emergency;

**NOW THEREFORE BE IT RESOLVED THAT** the City Manager report to City Council, through the Community Services Committee, as soon as possible, on how the City of Toronto plans to disseminate information to the public on service disruptions and updated information surrounding the nature of the emergency;

**AND BE IT FURTHER RESOLVED THAT** the City Manager report to City Council, through the Community Services Committee, as soon as possible, on the results of emergency drills conducted over the last year testing the City's response to a major disaster, focusing principally on what worked well and what needs to be improved."

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

**J(27) Waiving of Building Permit and Planning Application Fees - Habitat for Humanity Project at 8 Elsinore Path (Ward 6, Etobicoke-Lakeshore)**

*Moved by Councillor Grimes, seconded by Councillor Mihevc*

“**WHEREAS** Habitat for Humanity is a non-profit charitable organization which has had many successful years of experience in the development and construction of ownership housing for low income families with children; and

**WHEREAS** Habitat for Humanity constructs and renovates homes which are then sold to low income families at reduced rates with zero-interest mortgages; and

**WHEREAS** the average sale price of a home in Etobicoke in August 2005 was \$323,355.00, well out of reach of any families that have an income level below the poverty line, making it very difficult to find suitable housing which they can afford; and

**WHEREAS** Habitat for Humanity has previously requested and been granted dispensation from the payment of building permit and planning application fees, consistent with the Council policy supporting the construction of affordable rental housing stock by other non-profit organizations; and

**WHEREAS** the waiving of building permit and planning application fees would permit the price of these homes to be reduced, making them even more affordable to the families who purchase them;

**NOW THEREFORE BE IT RESOLVED THAT** City Council agree to waive all building permit and planning application fees for the Habitat for Humanity Housing Project, involving the development of ten townhouses at 8 Elsinore Path, located at Lakeshore Boulevard West and Twelfth Street.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

- Fiscal Impact Statement (September 29, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(28) Support for Canadian Citizenship Drive 2005**

*Moved by Councillor Palacio, seconded by Mayor Miller*

“**WHEREAS** the City of Toronto is constantly seeking ways for citizens and residents, particularly new Canadians, to participate fully in their communities and the democratic, city-building process; and

**WHEREAS** Canadian Citizenship is perhaps the highest honour possible and provides the holder with a lifetime of unparalleled rights and access to services; and

**WHEREAS** Latin-Canadian Torontonians, and all new Canadians, have made an outstanding contribution, and continue to make outstanding contributions to Toronto’s economic, cultural and social well-being; and

**WHEREAS** Toronto is in desperate need of new skilled immigrants to replace an aging baby-boomer population and to continue the growth and prosperity that the GTA has been experiencing; and

**WHEREAS** representatives of the 21 South American countries in Canada have come together to organize a Canadian Citizenship Drive 2005 under the leadership of Councillor Palacio and several prominent Hispanic-Canadian organizations;

**NOW THEREFORE BE IT RESOLVED THAT** City Council endorse the 2005 Canadian Citizenship Drive, co-organized by Councillor Palacio and many prominent organizations in the Hispanic-Canadian community;

**AND BE IT FURTHER RESOLVED THAT** the City Manager report to the Policy and Finance Committee on how the City of Toronto may support such citizenship drives in the future.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

**J(29) Greenfield South Power Generation Proposal by Eastern Power**

*Moved by Councillor Milczyn, seconded by Councillor Grimes*

“**WHEREAS** the City of Mississauga, at its Council meeting of July 6, 2005, adopted Resolution 0169-2005, moved by Councillor Corbasson and seconded by Councillor Adams; and

**WHEREAS** the Resolution recognized that major urban centres in Ontario already experience brown outs and black outs in the supply of electrical power and that the need for electrical power will continue to increase; and

**WHEREAS** the provincial government proposes to bring on-line 2,500 megawatts of new generation capacity phased in over a period of time to replace the power previously produced by the closing of coal-fired plants; and

**WHEREAS** on May 30, 2005, the provincial government announced the selection of two additional gas-fired power generating sites in Ontario, one bordering west Etobicoke in Mississauga, namely the Greenfield North Power Project and the Greenfield South Power Project; and

**WHEREAS** the City of Mississauga resolved that its Council review where its zoning by-law(s) may need to be amended in order to implement its official plan and establish regulations and criteria for the location of power generating facilities;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council direct Deputy City Manager Fareed Amin to monitor the Environmental Assessment Report of August 19, 2005, and the process for public consultation thereof, and express the City's concerns regarding the implications on the residential communities of Etobicoke;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council direct Deputy City Manager Fareed Amin to undertake similar reviews as the City of Mississauga, and report back to Council, through the Works Committee, regarding our opposition and possible impact of the Greenfield Power Project and ensure that these or other provincially selected sites are consistent with regulations under the *Environmental Assessment Act* and other applicable legislation or criteria, for the location of power generating facilities in Ontario."

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

**J(30) Report of Integrity Commissioner on Councillor De Baeremaeker's Securing of Promise of Community Donation**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

"**WHEREAS** City Council on June 14, 15 and 16, 2005, referred Scarborough Community Council Report 5, Clause 13, headed 'Community Donations' to the City Manager with a request that she submit a report to the Policy and Finance Committee, in consultation with the Integrity Commissioner, regarding a policy, as part of the Councillors' Code of Conduct, to deal with donations or any benefits which are separate from community benefits received pursuant to Section 37 of the *Planning Act* and which may appear to be linked to the granting of approvals or the waiver of requirements; and

**WHEREAS** Councillor De Baeremaeker subsequently requested the Integrity Commissioner to conduct an investigation into the events outlined in the Clause and determine whether the Councillor had in any way violated the Code of Conduct; and

**WHEREAS** the Integrity Commissioner has prepared the attached report dated September 28, 2005 in response to Councillor De Baeremaeker's request;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report (September 28, 2005) from the Integrity Commissioner and the report be received for information."

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(30), without amendment, Council received the report (September 28, 2005) from the Integrity Commissioner, for information.*

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Council also considered the following:

- Report (September 28, 2005) from the Integrity Commissioner.

**J(31) Proposal for Use of Proceeds from Possible Sale of Parkland between 274 and 280 Searle Avenue and 315 and 323 Brighton Avenue**

*Moved by Deputy Mayor Feldman, seconded by Councillor Stintz*

**“WHEREAS** the property located between 274 and 280 Searle Avenue and 315 and 323 Brighton Avenue is currently designated as parkland; and

**WHEREAS** City staff have determined that the aforementioned property could be declared surplus and sold; and

**WHEREAS** this property is located in Ward 10 (York Centre), an area which has several parks that require significant work to bring them up to the standard of parks in other parts of the City; and

**WHEREAS** when any parkland is taken out of an area, it should be replaced elsewhere within the same boundaries of that area, or in lieu thereof, enhancements should be made to existing parkland in the area equal to the value of the parkland lost;



**NOW THEREFORE BE IT RESOLVED THAT** if this property is sold, all proceeds of that sale remain in a Parks and Recreation Division fund, and the monies be used for improvements to Kenard and Wilson Heights Parks.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, referred this Motion to the Policy and Finance Committee.*

**J(32) Princes’ Gates Commemorative Open Space Design Competition**

*Moved by Deputy Mayor Pantalone, seconded by Mayor Miller*

“**WHEREAS** the City of Toronto has twinned with the City of Milan; and

**WHEREAS** at its meeting of April 12, 13, and 14, 2005, Council authorized the Princes’ Gates Commemorative Open Space Design Competition, the acceptance of private donations in support of the competition and the expenditure of these funds for competition expenses; and

**WHEREAS** on April 4, 2005, the City issued a request for expressions of interest for teams to be led by a Milanese design firm partnered with a Toronto design office; and

**WHEREAS** three teams were shortlisted to prepare design proposals for the area in front of the Princes’ Gates and these submissions were received on September 19, 2005; and

**WHEREAS** at a fundraising dinner held on September 29, 2005, Mayor Miller was presented with a cheque for \$300,000.00 raised through private donations; and

**WHEREAS** an international jury composed of experts from Toronto and Milan selected the team of Seing + Sistema Duemila, Milano – MBTW Group, Toronto and this winner was announced at the fundraising dinner; and

**WHEREAS** approval of this Motion is time sensitive as it is required in order to achieve the completion of this project in the summer of 2006;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto:

- (1) recognize and congratulate the winners of this international competition;

- (2) authorize the Economic Development, Culture and Tourism Division, to award the contract for detailed design drawings for Phase I of the Princes' Gates Commemorative Open Space to Seing + Sistema Duemila, Milano – MBTW Group, Toronto; and
- (3) authorize payment of the design fees from the private donations received for the Princes' Gates;

and the approval of additional funds for capital construction of Phase I be subject to the City's normal budget process.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

**J(33) Appointment of Members to a Task Force to Assist the Integrity Commissioner**

*Moved by Mayor Miller, seconded by Deputy Mayor Bussin*

“**WHEREAS** at its meeting of July 19, 20, 21 and July 26, 2005, Council established an Advisory Task Force to meet with and assist the Integrity Commissioner in making recommendations to Council with respect to his mandate and a protocol for handling complaints, with the work to be concluded once the report is tabled; and

**WHEREAS** City Council established the membership at five Members of Council, to be appointed by the Mayor and the Integrity Commissioner, to include:

- (a) two Members who have direct knowledge of the process; and
- (b) three Members who have not been through the process; and

**WHEREAS** the Mayor and Integrity Commissioner have canvassed all Members of Council for their interest in serving on the Advisory Task Force and given due consideration to the composition and interest of Members;

**NOW THEREFORE BE IT RESOLVED THAT** the following Members of Council be appointed to the Advisory Task Force for a term of office expiring when the Integrity Commissioner submits his report to Council with respect to his mandate and a protocol for handling complaints:

- (1) Councillor Michael Del Grande;
- (2) Councillor Gloria Lindsay Luby;
- (3) Councillor Joe Mihevc;
- (4) Councillor Karen Stintz; and
- (5) Councillor Sylvia Watson.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, amended this Motion by:***

- (1) increasing the membership of the Task Force to Assist the Integrity Commissioner to six Members of Council; and***
- (2) appointing Councillor Frances Nunziata to the Task Force.***

***Motion J(33), as amended, was adopted by City Council.***

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Council also considered the following:

- Memorandum (September 29, 2005) from Mayor Miller and the Integrity Commissioner.

**J(34) Parking Prohibitions due to the Reconstruction of Finch Avenue West at Black Creek Drive**

*Moved by Councillor Li Preti, seconded by Councillor Di Giorgio*

**“WHEREAS** the reconstruction of Finch Avenue West at Black Creek Drive, resulting from the damage of the August 19, 2005 storm, has necessitated the re-routing of significant volumes of traffic to adjacent streets; and

**WHEREAS** it is necessary to ensure that these adjacent streets can provide sufficient capacity to accommodate the increases in traffic volumes; and

**WHEREAS** many of the adjacent streets are only two lanes wide; and

**WHEREAS** parked vehicles obstruct the flow of two-way traffic and create congestion; and

**WHEREAS** this situation is temporary and will exist only until Finch Avenue West is reinstated to vehicular traffic flow;

**NOW THEREFORE BE IT RESOLVED THAT** parking be prohibited on:

- (a) Grandravine Drive east of the Oakdale Community Centre;
- (b) Driftwood Avenue from Grandravine Drive to Finch Avenue West; and
- (c) Sentinel Avenue from Finch Avenue West to The Pond Road;

**AND BE IT FURTHER RESOLVED THAT** these parking prohibitions remain in effect until repairs to Finch Avenue West have been completed, and the road is reinstated to vehicular traffic flow;

**AND BE IT FURTHER RESOLVED THAT** the necessary bills be introduced to give effect thereto.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, amended this Motion by deleting Part (a) from the first Operative Paragraph, and inserting instead the following:*

*“(a) the north side of Grandravine Drive;”.*

*Motion J(34), as amended, was adopted by City Council.*

**J(35) Status and Directions Report 2 – 350 Danforth Road, 74 Santamonica Boulevard and portion of former CNR Right-of-Way**

*Moved by Councillor Altobello, seconded by Councillor De Baeremaeker*

“**WHEREAS** the Goldman Group has appealed its Official Plan, Zoning and Subdivision applications regarding 350 Danforth Road to the Ontario Municipal Board (OMB), which has scheduled a pre-hearing conference for October 7, 2005; and

**WHEREAS** City Council, at its meeting of July 19, 20, 21 and 26, 2005, directed staff to continue to negotiate with the applicant to resolve the outstanding matters, with a view to reaching a settlement, and authorized the City Solicitor or Chief Planner to report back to City Council for further instructions prior to the Ontario Municipal Board hearing scheduled to commence on November 21, 2005; and

**WHEREAS** City Council, at its meeting of July 19, 20, 21 and 26, 2005, authorized the Chief Planner and Executive Director to report directly to the September 28, 2005, Council meeting if a settlement cannot be reached prior to that time; and

**WHEREAS** the Chief Planner and Executive Director, City Planning, has prepared a report dated September 30, 2005, identifying the issues and recommending appropriate actions by staff;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached report (September 30, 2005) from the Chief Planner and Executive Director, City Planning, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(35), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 30, 2005) from the Chief Planner and Executive Director, City Planning:***

***“It is recommended that City Council:***

- (1) direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board prehearing conference to represent the City’s interests, as outlined in this report;***
- (2) subject to Recommendation (5) below, support an Official Plan Amendment and proposed Land Use Designations for the residential redevelopment of the property at 350 Danforth Road, plus the former CN Corridor lands, based on the policy framework and land use designations established in the proposed Warden Woods Community Secondary Plan;***
- (3) subject to Recommendation (5) below, support a zoning by-law amendment for the proposed development of 457 residential units (34 singles, 112 semi-detached and 311 townhouses). The zoning to include appropriate land use, height, density, and other performance regulations, as well as community benefits requirements under Section 37 of the Planning Act and any necessary holding provisions;***
- (4) subject to Recommendation (5) below, support the draft plan of subdivision, substantially as illustrated in Attachment 1: Proposed Draft Plan of Subdivision, subject to related conditions of draft plan approval incorporating the City’s standard conditions of draft plan approval, modified to incorporate site-specific conditions of draft plan approval, dealing with matters such as, but not limited to:***
  - (i) addressing the requirements of the Technical Services Division with respect to the proposed lane parallel to Danforth Road;***

- (ii) *appropriate studies, mitigation, and warning requirements with respect to the interface between the new residential development and the TTC Birchmount Bus Garage and adjacent industrial uses;*
  - (iii) *provision of pedestrian walkways, including a walkway between the proposed development and Santamonica Boulevard;*
  - (iv) *required environmental and archaeological clearances, including the funding of a peer reviewer for environmental studies pertaining to land to be conveyed to the City;*
  - (v) *school accommodation warning clauses;*
  - (vi) *dedication and improvement of parkland, as illustrated on Attachment 1, of approximately 1.21 hectares, which will count towards satisfying the parkland requirements of the 350 Danforth Road applications, and the 651 Warden Avenue and 671 Warden Avenue applications;*
  - (vii) *required fencing plan;*
  - (viii) *provision and conveyance of the required stormwater management pond;*
  - (ix) *tree planting requirements;*
  - (x) *required corner roundings and temporary turning circles;*
  - (xi) *required Danforth Road traffic improvements; and*
  - (xii) *required securities;*
- (5) *advise the Ontario Municipal Board that its support of the Official Plan, Zoning, and Subdivision, as outlined in Recommendations (2), (3) and (4) above, is conditional upon and subject to:*
- (i) *securing a cash contribution, pursuant to Section 37 of the Planning Act, at the time of Zoning By-law approval, of \$1300.00 per dwelling unit (for a minimum of 457 units) to be used for the provision of a community recreation facility to serve the Warden Woods Community;*

- (ii) *securing pre-payment of the indoor parks and recreation component of the City's Development Charges By-law, in the form of a Letter of Credit due at the time of Zoning By-law approval, and which can be cashed by the City 90 days from the date of Zoning approval;*
  - (iii) *the Section 37 agreement provide that the applicant agree to work with the City and other area developers to ensure that satisfactory arrangements are secured with respect to the timely provision of community facilities in accordance with the priorities of the Warden Woods Community Secondary Plan;*
  - (iv) *satisfactory arrangements for improvement and dedication of 1.21 hectares of parkland; and*
  - (v) *the owner agreeing to withdraw its appeal of the new Toronto Official Plan with respect to these lands;*
- (6) *direct the City Solicitor to ensure that Council's conditions, as set out in Recommendation (5) above, are met through the use of appropriate holding provisions in the zoning by-law, by requesting the Ontario Municipal Board to withhold its order until satisfactory arrangements have been made, and/or through such other agreements or arrangements that the City Solicitor may determine to be appropriate and that the appropriate City officials be authorized to execute such agreements; and*
- (7) *authorize the City Solicitor to settle the appeals at the October 7, 2005 pre-hearing, subject to achievement of the matters or conditions set out in Recommendations (2), (3), (4), (5) and (6) above, and substantially in accordance with the Official Plan, Zoning, and Subdivision details set out in this report".*

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Council also considered the following:

- Report (September 30, 2005) from the Chief Planner and Executive Director, City Planning.

**J(36) Report Request - Safeguarding Confidential Documents**

*Moved by Councillor Pitfield, seconded by Councillor Davis*

“**WHEREAS** disclosure of confidential information continues to be reported in the media, despite repeated cautions to Members of Council and staff about the importance of maintaining the confidentiality of City matters; and

**WHEREAS** these breaches not only compromise Council’s privilege and have serious financial or legal implications for the City, but can also cause harm to individuals;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk, in consultation with the Integrity Commissioner, be requested to report to the Policy and Finance Committee, as soon as possible, on what measures can be taken to protect the confidentiality of documents, including, but not limited to:

- noting the names of Members of Council and staff on each copy;
- numbering all copies; and
- strict controls for printing, distributing and collecting all copies before and following in-camera meeting sessions.”

***Disposition:***

***City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.***

**Condolence Motions:**

(1) **Moved by:** Deputy Mayor Feldman

**Seconded by:** Mayor Miller

“**WHEREAS** Toronto City Council is deeply saddened to learn of the passing of Mr. Simon Wiesenthal; and

**WHEREAS** Simon Wiesenthal survived imprisonment in Nazi concentration camps during World War II; and

**WHEREAS** Mr. Wiesenthal worked countless hours toward bringing Nazi war criminals to justice, not for revenge, but for accountability; and

**WHEREAS** Simon Wiesenthal was the founder of the ‘Simon Wiesenthal Centre’, an organization which will continue the work of this great pioneer in order to bring justice for all and eliminate anti-Semitism, racial hatred and ethnic intolerance; and

**WHEREAS** Simon Wiesenthal was a true leader who made a difference around the world; and



**WHEREAS** Simon Wiesenthal proved that one person can make a difference;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to any surviving family members, the Jewish Community and the Simon Wiesenthal Centre.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion unanimously.*

(2) **Moved by:**                    **Councillor McConnell**

**Seconded by:**                **Mayor Miller**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Paul Crutch; and

**WHEREAS** Mr. Crutch had lived in Toronto and Vancouver, working as both a sales executive and a newspaper publisher; and

**WHEREAS** Mr. Crutch fell victim to mental illness and, after years of living on the streets of Toronto, was about to move into stable housing due to the help of Parks and Recreation staff, as well as Streets to Homes staff; and

**WHEREAS** on Wednesday, August 31, 2005, Mr. Crutch’s life was violently and needlessly cut short; and

**WHEREAS** his death highlights the dangers faced by homeless individuals on a day-to-day basis, and should serve to strengthen the City’s resolve that no one should ever live or die on the streets of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to Mr. Crutch’s former wife, his daughter and all his friends for their tragic loss.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion unanimously.*

(3) **Moved by: Councillor Jenkins**

**Seconded by: Councillor Augimeri**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Dr. Douglas Graham Roy Salmon on Wednesday, September 21, 2005, in his 81<sup>st</sup> year; and

**WHEREAS** Dr. Salmon will be remembered for his dedication and superior skills as Canada’s first black surgeon who was appointed President of Centenary’s medical staff and later Chief of General Surgery, and for his courage and fierce determination to strongly advocate for the rights of the black community; and

**WHEREAS**, in recognition of his work, Dr. Salmon received the Canadian Black Achievement Award, Medicine; and

**WHEREAS** Dr. Salmon’s life exemplifies what can be accomplished through hard work, perseverance and having a dream; and

**WHEREAS** he will be sorely missed not only by his loving family but also by his many friends and patients whom he treated with love and compassion;

**NOW THEREFORE BE IT RESOLVED** that the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his wife, former North York and Metropolitan Toronto Councillor Bev Salmon, sons Douglas Jr. and Warren, and daughters Heather and Leslie.”

*Disposition:*

*City Council on September 28, 29 and 30, 2005, adopted this Motion unanimously.*

**Issued: October 5, 2005**