
TORONTO CITY COUNCIL DECISION DOCUMENT REGULAR MEETING ON JANUARY 31, FEBRUARY 1 AND 2, 2006

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 8 (2005)****12c Toronto District School Board Application Requesting Debentures**

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That:

- (1) in recognition of the fact that the School Board will be saving more than \$400,000.00 as a result of the City’s assistance, the School Board be requested to permit Members of Council to use school space for community meetings on a pro bono basis; and
- (2) the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee on the School Board’s response prior to the next issuance of debentures.”

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

Administration Committee Report 9 (2005)**13a Lease of a Portion of the City-owned Property Located at 76 Wychwood Avenue: Non-Residential Component of Wychwood Green/Arts Barn Project (Ward 21 - St. Paul’s West)**

City Council on January 31, February 1 and 2, 2006, adopted the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the report (October 28, 2005) from the Chief Corporate Officer [as contained in the Clause], subject to the major Terms and Conditions contained in Appendix ‘A’ being amended to provide that the leases to Toronto Artscape for residential and non-residential components be conditional on:

- (a) the City’s financial contributions being capped to those funding sources identified in the report of the Chief Corporate Officer; and
- (b) Toronto Artscape funding its proportionate share of all Capital components of the facilities that have been identified by staff as Toronto Artscape’s responsibility.”

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

[Note: Please see Council’s action on Policy and Finance Committee Report 1, Clause 15, which is related to this matter (See Page 6).]

Scarborough Community Council Report 9 (2005)**5a Request for Direction Site Plan Control Application 04 150629 ESE 43 SA Greencrest Investments Inc., 4314 Kingston Road (Ward 43 - Scarborough East)**

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Report (January 23, 2006) from the General Manager, Solid Waste Management Services [Communication 11(a)].

Planning and Transportation Committee Report 10 (2005)**8a Proposed Amendments to the City of Toronto Municipal Code, Chapter 545, Licensing Regarding the Regulation of Entertainment Facilities**

City Council on January 31, February 1 and 2, 2006, amended this Clause by:

- (1) deleting Part 2 of Section (d) of Schedule A to the report (October 11, 2005) from the Acting Executive Director, Municipal Licensing and Standards, and inserting instead the following:

“2. From Monday to Wednesday, as well as at private functions, the number of security guards be in a ratio of 1 for every 100 patrons in attendance and from Thursday to Sunday, the number of security guards be in a ratio of 1 for every 100 patrons in attendance.”; and

- (2) adding the following:

“That the Executive Director, Municipal Licensing and Standards, be requested to:

- (a) report to the Planning and Transportation Committee, in six months time, on the effectiveness of the security provisions contained in Part 2 of Section (d) of Schedule A; and
- (b) report back to City Council in June 2006, through the Planning and Transportation Committee, on the possibility of licensing event promoters in the City of Toronto.”

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

New Reports:**Policy and Finance Committee Report 1****1 Bill 53 - Stronger City of Toronto for a Stronger Ontario Act, 2005**

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That the City request that Bill 53 be amended to include powers that would allow the City of Toronto to:

- (1) tax absentee landlords of residential property at a higher property tax rate, similar to the business tax category;
- (2) implement a licensing system to track absentee landlords, which would include a requirement for these landlords to post a bond with the City, to be used to pay for property upkeep; and
- (3) provide for access to rental properties by staff from the City’s Municipal Licensing and Standards Division, for inspection purposes.”

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

Council also considered the following:

Communication:

- (January 31, 2006) from Mayor David Miller [Communication 24(a)].

2 Remuneration for Citizen Appointees to Agencies, Boards, Commissions and Corporations

City Council on January 31, February 1 and 2, 2006, amended this Clause to provide that funding for the increased remunerations be provided from the existing budgets of the agencies, boards, commissions and corporations.

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

3 Criteria, Methodology and Costs of Examining Assessment Appeals and Participation in the Appeal Hearings (All Wards)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

4 Approval to Initiate and Participate in Various Tax Assessment Appeals (All Wards)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential Appendix “A” listing appeals initiated by the Treasurer, and confidential Appendix “B” listing appeals initiated by taxpayers in which the City will fully participate [Confidential Communication C.1(a)]. These Appendices are now public in their entirety.

[Note: Appendix “A” and Appendix “B” will be noted at the end of the Clause.]

5 City Electricity Purchase

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following Part (c) to Recommendation (1) contained in the report (January 3, 2006) from the Deputy City Manager and Chief Financial Officer:

- “(c) Toronto Hydro Energy Services Inc. being deemed to be an electricity supplier, either as a counter-party (directly), or as a broker (indirectly), with respect to the City's electricity supplier pool.”

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

Council also considered the following:

Communication:

- (February 1, 2006) from the General Manager, Toronto Hydro Energy Services Inc. [Communication 28(a)].

6 Payments in Lieu of Taxes for the Greater Toronto Airport Authority

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

7 Authority to Issue Debentures During 2006

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That the Deputy City Manager and Chief Financial Officer be requested to bring forward a plan to the Policy and Finance Committee that will add a small amount to the annual tax increase over a long period of time in order to retire the City’s debt.”

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

8 Temporary Borrowing Pending the Receipt of Tax Revenues and the Issuance of Debentures and Bank Loans During 2006

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

9 Complaint Pursuant to Section 20 of the Development Charges Act, 1997 Mattamy (Rouge) Limited

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

10 Toronto Computer Leasing Inquiry and Toronto External Contracts Inquiry Final Status Report

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

11 Authority to Participate in the Appeal of Canadian Radiotelevision and Telecommunication Commission (CRTC) Decision 2005-36, Granting Allstream Corp. Access to Light Rail Transit Lands and Facilities in the City of Edmonton

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

12 Cost Implications of the Etobicoke York Community Council Holding Public Hearings under the Planning Act at the York Civic Centre

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

13 Housekeeping Amendment to Chapter 162, Notice, Public, to Provide for a Fixed Minimum Notice Period

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

14 Pandemic Influenza Plan for the City of Toronto

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

15 Lease of a Portion of City-Owned Property Located at 76 Wychwood Avenue - Affordable Housing Component of Wychwood Green/Arts Barn Project (Ward 21 - St. Paul's West)

City Council on January 31, February 1 and 2, 2006, amended this Clause to provide that the staff recommendations contained in the Recommendations Section of the report (October 28, 2005) from the Chief Corporate Officer [as contained in Recommendation (I) of the Policy and Finance Committee], be adopted, subject to the major Terms and Conditions contained in Appendix 'A' being amended to provide that the leases to Toronto Artscape for residential and non-residential components be conditional on:

- (a) the City's financial contributions being capped to those funding sources identified in the report of the Chief Corporate Officer; and
- (b) Toronto Artscape funding its proportionate share of all Capital components of the facilities that have been identified by staff as Toronto Artscape's responsibility."

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

[Note: Please see Council's action on Administration Committee Report 9, Clause 13a, which is related to this matter (See Page 1).]

16 Redeployment of Existing Rent Supplement Units to New Affordable Housing Developments

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

17 Approval to Enter into Funding Agreements with the Ministry of Municipal Affairs and Housing to Secure Funding to Purchase 110 Edward Street for Affordable and Supportive Rental Housing and Endorsement of Selection Criteria and Project Selection Process for Three Procurement Calls

City Council on January 31, February 1 and 2, 2006, amended this Clause in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (January 30, 2006) from Deputy City Manager Sue Corke:

“It is recommended that:

- (1) Council amend Recommendation (1) of the January 6, 2006 staff report regarding 110 Edward Street to provide that authority be granted to enter into a Provincial Contribution Agreement, and any other documents contemplated by that Agreement, including security acceptable to the Province and the City, in a form acceptable to the City Solicitor and the Deputy City Manager and Chief Financial Officer, for 110 Edward Street with the Ministry of Municipal Affairs and Housing substantially on the terms and conditions as set out in the revised Appendix A in this report;
- (2) authority be granted to enter into a Service Manager Administration Agreement for the Canada-Ontario New Affordable Housing Program Strong Start Program - Rental and Supportive Component (the ‘Program’) with the Ministry of Municipal Affairs and Housing;
- (3) the Deputy City Manager for Affordable Housing Development, or her designate, be authorized and directed on behalf of the City, to execute the Service Manager Administration Agreement for the Program and any other agreements deemed necessary, on terms and conditions satisfactory to the Deputy City Manager, or her designate, in a form acceptable to the City Solicitor; 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 (January 30, 2006) from Deputy City Manager Sue Corke [Communication 21(a)].

18 2006 Action Plan for Affordable Housing Development

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

19 Green Toronto Festival - A Community Environmental Fair

City Council on January 31, February 1 and 2, 2006, amended this Clause by:

- (1) deleting Recommendation (1)(a) of the Roundtable on the Environment and inserting instead the following:

“(1)(a) net proceeds from the event, if any, be forwarded to the City of Toronto for distribution as environmental grants, such grants to be allocated on the recommendation of the Roundtable on the Environment;”; and

- (2) adding the following:

“That the organizers of the Green Toronto Festival be requested to:

- (1) investigate funding opportunities with senior levels of Government and Corporate Sponsors; and
- (2) charge a fee for booth space for the Festival.”

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

20 Making Green Roofs Happen

City Council on January 31, February 1 and 2, 2006, amended this Clause by:

- (1) deleting Recommendation (22) of the Policy and Finance Committee and inserting instead the following new Recommendation (22), as recommended in the supplementary report (January 27, 2006) from the Chief Planner and Executive Director, City Planning:

“(22) the Chief Planner and Executive Director, City Planning, be requested to ensure that above-grade green roofs are not considered an alternative to landscaped open space at-grade or parkland dedication in the review of applications for development, and thus do not result in the loss of green space on the ground;”; and

- (2) adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (January 30, 2006) from the General Manager, Toronto Water:

‘It is recommended that:

- (1) a Green Roof Incentive Pilot Program be implemented in 2006 and applicable to projects completed by the end of 2007;
- (2) Toronto Water’s 2006 approved Capital Budget be amended to reallocate \$200,000.00 (net of GST) from Capital Account: WBS CWW447-01 SWM INA/EA to a new Capital Account: CWW475-01 Green Roof Incentive Pilot Program 2006-2007, to provide financial incentives in support of the Green Roof Incentive Pilot Program;
- (3) the General Manager of Toronto Water, in consultation with the Chief Planner and the Chief Building Official, be requested to report to the Works Committee in March 2006, on the eligibility criteria and process of application for the Green Roof Incentive Pilot Program;
- (4) the General Manager of Toronto Water and the Deputy City Manager and Chief Financial Officer report to the Works Committee in July 2006, on the feasibility of implementing a stormwater utility charge as part of the water rate structure review and stakeholder consultations; and
- (5) the appropriate City officials be granted the authority to give effect thereto.’ ”

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

Council also considered the following:

- Report (January 27, 2006) from the Chief Planner and Executive Director, City Planning [Communication 15(a)]; and
- Report (January 30, 2006) from the General Manager, Toronto Water [Communication 15(b)].

21 Toronto Youth Strategy

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

Council also adopted the following procedural motion:

“That all motions moved on this Clause be forwarded to the special meeting of Council on February 14, 2006, and these motions be deemed to be moved.”

22 Update - Roundtable on Access, Equity and Human Rights

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

23 Lease Renewal - 970 Lawrence Avenue West, 7th Floor, Toronto Police Services (Ward 15 - Eglinton Lawrence)

City Council on January 31, February 1 and 2, 2006, amended this Clause:

- (1) in accordance with the following staff recommendations contained in the Recommendations Section of the report (January 30, 2006) from the Chief Corporate Officer:

“It is recommended that:

- (1) the Lease at 970 Lawrence Avenue West be renewed as outlined in the Administration Committee Report dated October 21, 2005 [report from the Chief Corporate Officer, as contained in the Clause]; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and

- (2) by adding the following:

“That the Toronto Police Service be requested to look at options to reduce or eliminate its need to lease this office space, and explore relocating to a City-owned premises.”

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

Council also considered the following:

- Report (January 30, 2006) from the Chief Corporate Officer [Communication 20(a)].

24 Provision of Engineering Services for the Expansion of the F.J. Horgan Water Treatment Plant, Request for Proposal 9117-05-7324

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

25 Toronto Community Housing Corporation - 2004 Annual Report to Shareholder, Audited Consolidated Financial Statements Annual General Meeting; and Review of 2006-2008 Community Management Plan

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

26 Toronto City Centre Airport Community Advisory Committee

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That Council adopt the following staff recommendation contained in the Recommendation Section of the report (January 30, 2006) from the City Solicitor:

‘It is recommended that the main contact for the Toronto City Centre Airport Community Advisory Committee (TCCACAC) from City Legal Services be the Director of Litigation.’ ”

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

Council also considered the following:

- Report (January 30, 2006) from the City Solicitor [Communication 18(a)].
-

Councillor Walker declared an interest in this Clause, in that his daughter is an employee of the Toronto Port Authority.

27 Toronto Waterfront Revitalization: Memorandum of Understanding between the City of Toronto, City of Toronto Economic Development Corporation and Toronto Waterfront Revitalization Corporation

City Council on January 31, February 1 and 2, 2006, amended this Clause:

- (1) to provide that the Memorandum of Understanding be amended to ensure that the public realm is protected as set out in the East Bay Front Precinct Plan and that both Project Symphony and Project 24/7 be sited in consultation with the Ward Councillor, the Toronto Waterfront Revitalization Corporation and the citizen coalition, at the western end of the Queen Elizabeth Docks;
- (2) in accordance with the following staff recommendation contained in the Recommendation Section of the supplementary report (January 30, 2006) from Deputy City Manager Fareed Amin:

“It is recommended that Recommendation (3) contained in the January 17, 2006 report from Deputy City Manager Fareed Amin be amended by substituting the amended Shareholder Resolution attached as Appendix 1 to this report for the Shareholder Resolution referred to in Recommendation (3), and the Shareholder Resolution to be attached to the Memorandum of Understanding and the Unanimous Shareholder Declaration be the amended Shareholder Resolution that is attached as Appendix 1 to this report.”,

subject to amending Appendix 1 to the report (January 30, 2006) by:

- (a) deleting Part (5) and inserting instead the following new Part (5):

“(5) as directed by Council, any one officer or director of TEDCO, of the following officers of the City: the City Clerk or the person acting in that capacity and the Deputy City Manager and Chief Financial Officer or the person acting in that capacity (the ‘City Representatives’), is authorized and directed, for and in the name of and on behalf of TEDCO, to execute (whether under the corporate seal of TEDCO or otherwise) and deliver all such other agreements, instruments, certificates and other documents and to do all such other acts and things as have been directed by Council, in order to carry out the intention of the foregoing resolutions.”; and

- (b) including the following additional provision:

“Given that the City of Toronto is making a unanimous shareholder’s declaration to TEDCO directing TEDCO to pass a resolution to enter into the MOU, make Property Transfers in accordance with the MOU, and otherwise comply with the MOU, the City provide an indemnity to the directors and officers of TEDCO, indemnifying them and holding them harmless against any liabilities or expenses they may incur as a result of any legal action brought against them arising from compliance with the terms of the unanimous shareholder’s declaration, such indemnity to be in a form satisfactory to the City Solicitor and the Deputy City Manager and Chief Financial Officer.”; and

- (3) by adding the following:

“That Deputy City Manager Fareed Amin be requested to report to the Policy and Finance Committee on:

- (1) the financial contributions, both in land and cash, originally agreed to with all three levels of government, as well as the commitments made under (former) Mayor Lastman;
- (2) the details of the commitments currently in place by all three levels of government and the amount of their contributions to date;
- (3) a request to the partner governments to match any City land contributions, made by the City of Toronto; and
- (4) a request to the Toronto Waterfront Revitalization Corporation to forward to City Council, as soon as practicable, a full Business Plan including revenue projections.”

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

Council also considered the following:

- Report (January 30, 2006) from the Deputy City Manager Fareed Amin [Communication 19(b)].
- _____

Communications:

- (January 30, 2006) from the President and Chief Executive Officer, Toronto Waterfront Revitalization Corporation [Communication 19(a)]; and
- (January 27, 2006) from the President and Chief Executive Officer, City of Toronto Economic Development Corporation (TEDCO) [Communication 19(c)].

28 Declaration as Surplus of Various City-Owned Properties for Transfer to the City of Toronto Economic Development Corporation (Ward 10 - York Centre; Ward 11 - York South-Weston; Ward 35 - Scarborough Southwest; and Ward 36 - Scarborough Southwest)

City Council on January 31, February 1 and 2, 2006, amended this Clause by:

- (1) deleting from Recommendation (8) contained in the report (January 16, 2006) from the City Manager, as amended by the Policy and Finance Committee, the dates “April 11, 2006” and “March 6, 2006”, and inserting instead the dates “May 16, 2006” and “May 2, 2006” respectively, so that Recommendation (8), as further amended, now reads as follows:

“(8) the Chief Corporate Officer report back at the Policy and Finance Committee meeting of May 16, 2006 and the Administration Committee meeting of May 2, 2006, on the detailed proposed terms of the transfers between the City and TEDCO, including: applicability of Council policies (e.g., Housing First); responsibility for the costs (environmental, etc.) associated with remediation and redevelopment; what amount the City should receive from the eventual re-disposition of the lands by TEDCO; TEDCO’s process for disposition; as well as a protocol to identify further properties for potential transfer;”; and

- (2) adding the following:

“That:

- (i) the City-owned lands designated as Parts 1, 2, 3, 4, 5, 7, 9, 10 and 11 on Sketch No. PS-2004-060d, located between Midland Avenue and Brimley Road, be developed in accordance with the land use plan for the Phase 3 Scarborough Transportation Corridor Land Use Study approved by City on September 28, 29 and 30 and October 1, 2004;

- (ii) TEDCO be requested to recognize that the development may require co-ordination and potential cost-sharing arrangements with adjoining owners for the construction of the shared roads, stormwater management, parks, etc., or other agreements necessary to complete a comprehensive development of the entire precinct;
- (iii) as the transfer relates to 411 Victoria Park Avenue, TEDCO give due consideration and regard to the ongoing City-initiated planning review; and further, with respect to 411 Victoria Park Avenue, TEDCO review the existing lease and negotiate lease extensions that recognize the reasonable interest of the current lessee; and
- (iv) the Chief Corporate Officer be requested to report to the Policy and Finance Committee, no later than September 2006, on the transfer of the Westwood Theatre site, including abutting lands, and the Bloor-Islington lands, to TEDCO by December 31, 2006.”

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

Council also considered the following:

- Report (January 30, 2006) from the City Manager [Communication 22(a)].
- _____

Councillor Li Preti declared an interest in this Clause, only as it relates to Ward 10, in that he owns property in the subject area.

29 Not Used

30 Villa Otthon - Withdrawal of Funds from the Social Housing Federal Reserve Fund and Approval of a Second Mortgage (Ward 35 - Scarborough Southwest)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

31 Additional Funding for the Supporting Communities Partnership Initiative (2003-2006)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

32 Establishment of a Withrow Park Improvements Reserve Fund (Ward 30 - Toronto-Danforth)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

33 Allan Gardens Revitalization Reserve Fund (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

34 Enwave Energy Corporation - Financial Statements

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (January 16, 2006) from the Deputy City Manager and Chief Financial Officer [Confidential Communication C.2(a)]. This report 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.

35 Enwave Energy Corporation, Annual Shareholders' Meeting 2006

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

36 Citizen Nominations to the Board of Directors of Enwave Energy Corporation

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (January 23, 2006) from the Chair, Corporations Nominating Panel [Confidential Communication C.3(a)]. This report, with the exception of Attachment 2 which remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals, is now public and contains the following recommendations:

“It is recommended that:

- (1) the two persons, including the recommended Chair listed in Attachment 1 to this report, be nominated by Council to be elected to the Board of Directors of Enwave Energy Corporation at Enwave’s 2005 Annual General Meeting for a term expiring three years less a day from their election or until their successors are appointed;
- (2) the person identified in Attachment 2 be named as alternate so that, if and when there is a vacancy on the Enwave board, that individual may be approached to determine their continued interest and availability and be considered by Council for appointment at that time;
- (3) this report, except for Attachment 2, be made public following City Council’s approval;
- (4) the Mayor, on behalf of City Council, express the City’s appreciation and thanks to the outgoing members of the Board of Directors of Enwave Energy Corporation for their past service; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Attachment 1

Recommended Citizen Appointments to the Board of Directors of
Enwave Energy Corporation

Mr. Paul J. Brown (Recommended Chair)

President, Public Finance Consultants Inc.

Principal, Stratacon Inc.

Consultant, Campbell Strategic Inc.

Former Chief of Staff to Minister of Labour, Canada

Former Executive Assistant to President of Treasury Board

Former Senior Staff, Insolvency Division, Arthur Andersen Inc.

Mr. Vitor Fonseca

Chief Operating Officer, Retirement Life Communities Inc.

Former Vice President, Finance, Verdiroc Development Corporation

Former General Manager, Vimpex Trading and Investments

Former Vice President and Chief Financial Officer, Ghert Realty Holdings Ltd.

Former Assistant Treasurer, The Cadillac Fairview Corporation Limited

37 Health Canada Funding for “Taking Action on Chlamydia” Evaluation Plan

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

38 Health Canada Funding for Peer Nutrition Program Evaluations

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

39 Extension of Toronto Hydro Promissory Note

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That it is the policy of this Council that it not monetize the Hydro Bond for operating purposes, provided that if the Deputy City Manager and Chief Financial Officer believes it necessary to recommend the monetization of any portion of the Hydro Bond for operating purposes in 2006, he is directed to report directly to the City Council Budget meeting in March 2006 and it shall be the first item of business for consideration at that meeting.”

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

Council also considered the following:

- Report (February 2, 2006) from the Deputy City Manager and Chief Financial Officer and the City Solicitor [Communication 30(a)].

- Confidential report (January 20, 2006) from the Deputy City Manager and Chief Financial Officer [Confidential Communication C.4(a)]. The following staff 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 pertaining to the security of the property of the municipality or local board:

“It is recommended that:

- (1)
 - (a) Council authorize the exercise of the City’s option to extend the current 2008 expiry date of the Promissory Note of Toronto Hydro Corporation (‘the Promissory Note’) for an additional five-year term, setting a new expiry date of May 6, 2013;
 - (b) Council approve a monetization schedule for the extended Promissory Note that provides for payment of the entire principal amount of \$980,230,955.00 at expiry on May 5, 2013; and
 - (c) the Deputy City Manager and Chief Financial Officer be directed to provide notice of the exercise of the option and monetization schedule contained in the recommendations of this report to the Senior Vice-President and Chief Financial Officer (or successor) of Toronto Hydro Corporation in accordance with the notification provisions of the Promissory Note;
- (2) in the event that a requirement is identified to receive funds from the Promissory Note during 2006 subsequent to providing notice of the above-noted monetization schedule, that the Deputy City Manager and Chief Financial Officer be directed to report back to Council to seek further direction for a conversion or assignment of the Promissory Note in accordance with its terms and conditions;
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (4) this report remain confidential, except that the recommendations in this report be made public after Council consideration.”

40 Other Items Considered by the Committee

City Council on January 31, February 1 and 2, 2006, referred Item (q), entitled “Request to Toronto Police Services Board to Expand Strategic Traffic Enforcement Measures (STEM) Team”, contained in this Clause, back to the Policy and Finance Committee for further consideration.

The balance of this Clause was received for information.

Communications:

Council also considered the following with Item (u), entitled “Comments on Pursuing a Civil Claim Arising from the MFP Lease Transactions”, contained in the Clause:

- Confidential communication (January 26, 2006) from Mayor David Miller [Confidential Communication C.16(a)]. This communication 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.

Council also considered the following with Item (x), entitled “Exhibition Place Soccer Stadium Municipal Capital Facility Designation”, contained in the Clause:

- (January 30, 2006) from the Director, Secretariat, City Clerk’s Office [Communication 17(a)].

Mayor Miller declared an interest in Item (d), entitled “Summary of City Applications Submitted to the FCM Green Municipal Fund”, in that his cousin has a financial interest in one of the projects identified.

Councillor Cowbourne declared an interest in Item (k), entitled “Renewable Energy”, in that her husband is employed by an electricity system operator which is directly involved in the power issues facing Toronto.

Deputy Mayor Bussin declared an interest in Item (v), entitled “Extension of Free Parking for Canadian Veterans”, in that her father is a veteran and her brother is a member of the Armed Forces.

Administration Committee Report 1

1 Recipients - 2005-2006 City of Toronto Scholarships at the University of Toronto

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

2 Framework for Nathan Phillips Square Design Competition and Capital Funding Forecast for Project Implementation, and Establishment of Nathan Phillips Square Revitalization Public Advisory Group

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

3 External Legal Firms Retained for Insurance Claim Defence - Request for Proposal 9134-05-7098

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

4 Metropolitan Toronto Police Benefit Fund - Request for One Time Lump Sum Payment to Pensioners and Survivors

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

5 Request for Proposal 3405-05-3023 For Document Management System Initial Implementation (Pilot) Solutions

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

6 Amending the Scope of Authority for the Compugen Inc. Agreement to include the Post-TELS Technology Sustainment Purchase of Desktop and Notebook Computers, Printers and Related Products

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

7 3-1-1 Council-Staff Working Group: Recommended Ongoing Role

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

8 Lease of 1229 Ellesmere Road for Shelter Purposes (Ward 37 - Scarborough Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

9 Declaration as Surplus - 47 Terrace Avenue (Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

10 Union Station - Station Lease to The Union Pearson Group Inc., 65 Front Street West (Ward 28 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted the following:

“That:

- (1) Council adopt the following staff recommendations contained in the Recommendations Section of the report (December 16, 2005) from the Deputy City Manager and Chief Financial Officer:

‘It is recommended that:

- (1) the Station Lease with The Union Pearson Group to restore, develop and operate Union Station be approved for a 35 year term with one automatic renewal period of 15 years and a further 50 year conditional renewal, at an annual basic rent of \$500,000.00 to be adjusted by CPI and at stabilization, plus participation rent, in accordance with the terms and conditions set out in Appendix 1 to this report and on such other terms and conditions as may be satisfactory to the Deputy City Manager and Chief Financial Officer and in a form acceptable to the City Solicitor;
 - (2) the City Solicitor be authorized to complete the transaction on behalf of the City if all closing conditions are met by May 31, 2006;
 - (3) until a governance model is implemented for Union Station, the Chief Corporate Officer shall administer and manage the Station Lease including the provision of any consents, approvals, waivers notices and notices of termination provided that the Chief Corporate Officer may at any time, refer consideration of such matter (including their content) to City Council for its determination and direction; and
 - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and
- (2) the following motions be referred to the City Solicitor for consideration:

Moved by Councillor Watson:

‘That:

- (1) the City Solicitor be requested to obtain the following unqualified legal opinions from Robert Bauer:

-
- (i) certifying that the lease conforms to the Master Agreement and does not extend the obligations of the City of Toronto or enhance the rights of UPG Inc.;
 - (ii) that the Due Diligence requirements under s.3.5 of the Master Agreement were fully complied with by the Due Diligence date of December 15, 2005, and that no items were waived as not being finalized; and
 - (iii) that all necessary approvals by the City of Toronto have been obtained with respect to any Change of Control or ownership of the entities which are UPG Inc. shareholders, including details of those approvals.”;
 - (2) the Deputy City Manager and Chief Financial Officer be requested to report to the next meeting of the Administration Committee providing the following information:
 - (a) who were the shareholders of UPG Inc., and in what proportion did each hold shares at the time the UPG Proposal was made;
 - (b) who were the shareholders of UPG Inc., and in what proportion did each hold shares at the time the Master Agreement was executed;
 - (c) who were the shareholders of UPG Inc., and in what proportion did each hold shares at the Due Diligence date of December 15, 2005;
 - (d) whether the ownership or control of any of the shareholder companies changed since the date of the UPG Inc. Proposal (for example, have the shares of Olympia and York been sold to another entity), and, if so, provide details concerning the change;
 - (3) further discussions be held between City staff and the Union Pearson Group Inc. in order to:

- (a) obtain payment to the City for use of the name “Union Station” in any context other than the naming of the existing station;
- (b) address concerns about the potential cost to the City or transportation providers of future expansions of the transportation function at the station;
- (c) ensure that public use of the facility, including use by charitable/not-for-profit/City use is protected and enhanced, and that provisions are made for requiring the lessee to promote and advertise City-authorized events or public uses to be undertaken at Union Station;
- (d) ensure that any notice and response periods requiring a response from the City are of sufficient length to enable reports to be brought through the Council process for appropriate deliberation and consideration; and
- (e) secure the provision and maintenance by UPG Inc. of a significant element in the Station recognizing Railway Heritage, such as a Railway Museum;

and request the Deputy City Manager and Chief Financial Officer and Treasurer to report to the March 6, 2006 meeting of the Administration Committee on these efforts;

- (4) the Deputy City Manager and Chief Financial Officer be requested to submit a report to the next Administration Committee meeting scheduled to be held on March 6, 2006, providing a detailed summary of the costs the City has incurred to date with respect to the Union Station RFP, Agreement negotiations, documentation, etc., such costs to include the cost of outside consultants such as planners, legal and other advisers and City staff;
- (5) the Deputy City Manager and Chief Financial Officer be requested to report to the next meeting of the Administration Committee providing a financial analysis of the proposed transaction showing the investments to be made by UPG Inc. and the City of Toronto, as well as the income expected to be received by each; and
- (6) prior to City Council approving the Station Lease, the Deputy City Manager and Chief Financial Officer be requested to obtain from UPG Inc., up-to-date schedules to

the Station Lease, having regard to the proposed closing date of May 31, 2006.’ ”

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

11 Audio Visual and Meeting Management Systems for the Council Chambers and Other Meeting Locations - Sole Source Purchase Request

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

12 Corporate Fuel Site Review - Status Update (All Wards)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

13 Request for Sole Source Approval - Purchase of Legal Publications

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

14 Fleet Operational Review for Divisions of Former Works and Emergency Services - Emergency Medical Services, Fire Services, Solid Waste Management Services, Support Services, Technical Services, Transportation Services, Toronto Water

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

15 Agreement Execution Process for Goods and/or Services

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

16 City of Toronto French Committee: Appointment of Members and Approval of Terms of Reference

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential Attachment 1 listing the recommended appointees to the City of Toronto French Committee/Comité français de la ville de Toronto

[Confidential Communication C.17(a)]. This Attachment is now public in its entirety:

“Attachment 1:

- (1) City Council approve the appointment of the following persons as members of the City of Toronto French Committee/ Comité français de la ville de Toronto:

Evelyne Barthès McDonald
Richard Beaudin
Linda Blanchard
Sébastien Chevrier
Jhonel Armstrong Morvan
Alain Claude Ngouem; and

- (2) City Council approve the re-appointment of the following former members:

Thérèse Gaudry; and
Dan Brignoli.”

17 Declaration as Surplus - Don Russell Memorial Park for the Purposes of a Land Exchange with the Toronto District School Board (Ward 6 - Etobicoke-Lakeshore)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

18 Other Items Considered by the Committee

City Council on January 31, February 1 and 2, 2006, received this Clause, for information.

Board of Health Report 1

1 Assignment of Toronto Public Health Employee to Support the XVI International AIDS Conference

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Appendix 1 listing the employee assigned to support the International AIDS conference [Confidential Communication C.5 (a)]. This Appendix is now public in its entirety.

Appendix 1
Toronto Public Health Employee to be Assigned

Gene Long
Manager, Communications & Public Relations
Planning & Policy
Toronto Public Health

Community Services Committee Report 1

1 Update on the Provincial Housing and Homelessness Funding from the Net Proceeds on the Sale of the former Princess Margaret Hospital and Request for Reallocation

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

2 Closure of Two of Toronto's Six Detox Treatment Centres

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

3 Proposals for Implementing Toronto Social Services' Response to the Auditor General's Report on Recovery of Social Assistance Overpayments (June 2005)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

4 Final Report - Provincial Review of Ontario Works' Cost of Administration Shortfall

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

5 Promised Tenant Protection Legislation and Energy Programs for Low-Income Households

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Report (January 24, 2006) from Deputy City Manager Sue Corke [Communication 7(a)].

6 Councillor Michael Walker's Proposal for Rent Control

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- (undated) draft notice for a Tenant Forum, entitled "Reform Rental Housing in Toronto", submitted by the General Manager, Shelter, Support and Housing Administration [Communication 27(a)].

7 103-105 West Lodge Avenue - Request for Clarification on a Legal Opinion Provided in a Public Document

City Council on January 31, February 1 and 2, 2006, referred this Clause back to the Tenant Defence Sub-Committee for further consideration.

Council also considered the following:

- Confidential communication (January 6, 2006) from the Tenant Defence Sub-Committee [Confidential Communication C.6(a)]. This communication 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.

- Confidential report (October 21, 2005) from the Acting Executive Director, Municipal Licensing and Standards. 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.

- Confidential report (October 24, 2005) from the City Solicitor. 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.
- _____

- Confidential communication (September 1, 2005) from the City Solicitor. This communication 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.

8 Other Items Considered by the Committee

City Council on January 31, February 1 and 2, 2006, received this Clause, for information.

Economic Development and Parks Committee Report 1

1 ICT Toronto: An Information and Communication Technology Cluster Development Strategy (All Wards)

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That the Budget Advisory Committee be requested to consider granting the Toronto Region Research Alliance a grant in the amount of \$100,000.00 through the 2006 budget process.”

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

2 Bermondsey Employment Revitalization Area Five-Year Strategic Action Plan (Ward 31 Beaches-East York and Ward 34 Don Valley East)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

3 Business Improvement Area (BIA) 2003-2006 Boards of Management - Additions and Deletions and Nominees to a Newly Established BIA (All Wards)

City Council on January 31, February 1 and 2, 2006, amended this Clause to provide:

- (1) Emery Village Business Improvement Area Board of Management:

“That Tim Lambrinos be appointed, and the appointment of Dr. Debra Wilson be terminated.”;

(2) Liberty Village Business Improvement Area Board of Management:

“That Brian Brown, Reid Henry, Kerry Kollar and Al Long be appointed, and the appointments of Michael Gorski, David Hayes, Chris Phibbs, Kathy Traill, and Julian Wharton be terminated, with the number of appointees to the Board reduced accordingly, from 19 to 18.”;

(3) Uptown Yonge Business Improvement Area Board of Management:

“That Michael Burg, Toronto Dominion Bank, be appointed, and the number of appointees to the Board be increased accordingly, to 13.”; and

(4) Weston Business Improvement Area Board of Management:

“That Pat Gallan be appointed, and the appointment of Al Loy be terminated.”

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

4 2005 Culture Build Grants Recommendations (All Wards)

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That:

- (1) the Deputy City Manager be requested to report to the Economic Development and Parks Committee on how, as a condition of receiving future Cultural Build Grants, applicants be required to set aside blocks of time for community organizations to use their facilities free of charge; and
- (2) supplementary information be required for 2006 Culture Build Grants Program, similar to the information that is gathered for the operating grant for the Major Cultural Organizations which describes the Cultural Organizations’ community outreach programs, and that this information be used as part of the evaluation criteria.”

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

5 Tourism Action Plan: Report on 2005 Tourism Program Visitor Information Services Projects (All Wards)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

6 Canada's Walk of Fame Design Competition (Ward 20 Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

7 International Alliance Program (IAP) - Summary Report for 2005 (All Wards)

City Council on January 31, February 1 and 2, 2006, referred this Clause back to the Economic Development and Parks Committee for further consideration, and requested Deputy City Manager Sue Corke to report on the specific items outlined in the report.

Council also considered the following:

Communication:

- (January 18, 2006) from Ana Bailao, President, Federation of Portuguese Canadian Business and Professionals, addressed to Councillor Gloria Lindsay Luby [Communication 12(a)].

8 Event Enhancement Strategy (All Wards)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

9 2006 Business Improvement Area Operating Budgets: Report 2 (All Wards)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

10 Operation of Snack and Hot Drink Vending - Nut Products in Parks, Forestry and Recreation Facilities (All Wards)

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That:

- (1) the City Manager and the appropriate staff of the City's divisions, agencies, boards and commissions be requested to advise the snack bar and vending machine operators that City Council is requesting that peanut and nut products not be sold in City facilities where children frequent;

- (2) the City Manager be requested to report to the March 9, 2006, meeting of the Economic Development and Parks Committee and the April 25, 2006, meeting of City Council on whether the snack bar and vending machine operators have removed peanut and nut products from City facilities; and
- (3) all future Requests for Proposals, Leases and Agreements, etc. contain clauses to restrict the sale of peanut and nut products in all City facilities that children frequent; and further that the City Manager, in consultation with the Acting Director, Purchasing and Materials Management report to the Administration Committee on the policies required to bring this Council decision into effect.”

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

11 Proposed Construction and Management of a Pedestrian Bridge Across the Etobicoke Creek (Ward 3 Etobicoke-Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

12 High Park, Proposed Prescribed Burn Spring 2006 (Ward 13 Parkdale-High Park)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

13 Construction and Operation of the Soccer Field and Field House at the Keele Reservoir (Ward 8 York West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (December 19, 2005) from the General Manager, Parks, Forestry and Recreation [Confidential Communication C.7(a)]. The following staff recommendations contained in the Recommendations Section of the report and Attachment 1 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) the lease agreement as contained in Attachment 1 be approved; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

[Attachment 1, the Lease Agreement between the City of Toronto and the Toronto Azzurri Soccer Club, will appear at the end of the Clause.]

14 Extending the Hours of Seasonal Pools

City Council on January 31, February 1 and 2, 2006, adopted the following:

“That Attachment 1 to the report (September 26, 2005) from the General Manager, Parks, Forestry and Recreation, be revised to continue to include Heron Park Pool as a Parks, Forestry and Recreation Heat Alert location in 2005.”

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

15 Enhancing Tourism in Toronto With a Recreational Vehicle Campground (All Wards)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

16 Reduction in Permit Fees Policy (All Wards)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

Council also considered the following:

- Report (January 31, 2006) from the General Manager, Parks, Forestry and Recreation [Communication 25(a)]; and
- Report (January 31, 2006) from the General Manager, Parks, Forestry and Recreation [Communication 25(b)].

17 Appointments to the Board of Management of the Toronto Zoo

City Council on January 31, February 1 and 2, 2006, referred this Clause to the Board of Management of the Toronto Zoo, in accordance with the following recommendation of the Board of Management of the Toronto Zoo, as contained in the communication (January 24, 2006) from the Board Secretary:

“The Board of Management of the Toronto Zoo on January 24, 2006, recommended that City Council refer back to the Board for further consideration Report 1, Clause 17 of the Economic Development and Parks Committee, headed ‘Appointments to the Board of Management of the Toronto Zoo’, as a result of the resignation of two of the Toronto Foundation Board members being recommended for appointment.”

Council also considered the following:

Communication:

- (January 24, 2006) from the Secretary, Board of Management of the Toronto Zoo [Communication 13(a)].

18 Other Items Considered by the Committee

City Council on January 31, February 1 and 2, 2006, received this Clause, for information.

Planning and Transportation Committee Report 1

1 Designation of Community Improvement Project Areas to Implement the BIA Commercial Façade Improvement Program

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That:

- (1) the Weston Business Improvement Area be added to the list for consideration; and
- (2) the Acting Executive Director, Economic Development, be requested to report to the September 12, 2006 meeting of the Economic Development and Parks Committee on:
 - (a) the results of the Commercial Façade Improvement Program for BIAs; and
 - (b) whether a revision should be made, effective 2007, to the eligibility guidelines of qualifying BIAs to permit them to participate in the Commercial Façade Improvement Program after being in existence for three years, rather than five years.”

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

2 Union Station Precinct Implementation of Master Plan

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

3 Authorization for City Planning Staff to Consult with the Development Industry, Community Organizations, Interest Groups and the Public on Proposed Section 37 Implementation Guidelines

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

4 The Proposed Growth Plan for the Greater Golden Horseshoe

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (January 23, 2006) from Martha A. Pettit, Manager, Legislative Services/Deputy Clerk, Town of Ajax [Communication 16(a)].

5 Preventing Migratory Bird Deaths Resulting from Collision with Buildings

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (January 23, 2006) from Caroline Schultz, Executive Director, Federation of Ontario Naturalists [Communication 9(a)].

6 Parking Space Dimensions Zoning Review

City Council on January 31, February 1 and 2, 2006, referred this Clause to the Chief Planner and Executive Director, City Planning, with a request that he address the following issues and report to the Planning and Transportation Committee:

- (a) the matter of the size and dimensions of disabled parking spaces and a standardized format for their identification;
- (b) a process for dealing with applications currently pending; and
- (c) a process for transitioning between the new and revised by-law.

7 Civic Improvement Program Selection of Streetscape Enhancement Projects for 2006

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

8 Licensing of Limousines in the City of Toronto

City Council on January 31, February 1 and 2, 2006, amended this Clause by deleting Recommendation (1) contained in the report (December 8, 2005) from the Acting Executive Director, Municipal Licensing and Standards, and inserting instead the following:

- “(1) the Municipal Code be amended to exempt all owners of livery owner's licences held prior to May 19, 2005, who wish to obtain a limousine service company licence, from the sedan vehicle/stretch vehicle ratio as it pertains to their fleet of vehicles that existed on May 19, 2005.”

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

9 The Regulation of Fireworks Displays

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

10 Russell Hill Subway Train Accident of August 11, 1995 Due Diligence Checklist Update

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

11 1998, 2001 & 2004 APTA Rail Safety Audits - Updates

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

12 Appeal of New Official Plan

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (January 3, 2006) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.18(a)]. The following staff 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 pertaining to litigation or potential litigation:

“It is recommended that Council, on the understanding that TDL Group Corp. and other appellants will withdraw their appeals respecting drive-through facilities:

- (1) endorse the following acknowledgement:

‘Since it is not the intent of the Official Plan to generally prohibit drive-through facilities as a use, the City acknowledges that Council may approve an application for a zoning by-law amendment and enact a zoning by-law amendment to permit a drive-through facility on lands designated in the Official Plan as:

- (i) *Mixed Use Areas;*
- (ii) *Regeneration Areas;*
- (iii) *Employment Areas; and*
- (iv) *Institutional Areas,*

without an amendment to the Official Plan, where the proposal generally conforms to the policies of the Official Plan and Council-approved guidelines for such facilities, unless the Plan contains an explicit site or area-specific prohibition on drive-through facilities.’; and

- (2) instruct the City Solicitor and Chief Planner and Executive Director, City Planning to take the necessary steps to implement the foregoing, including consenting to the Ontario Municipal Board including in its Order respecting this matter reference to this staff report and consenting to the subsequent withdrawals of the appeals by TDL Group Corp. and other appellants respecting drive-through facilities.”

13 Other Items Considered by the Committee

City Council on January 31, February 1 and 2, 2006:

- (1) postponed Item (b), entitled “Mandatory Certification of Food Handlers”, contained in this Clause, to its special meeting on February 14, 2006; and
- (2) referred Item (c), entitled “Leaf Blower Use Restriction in the City of Toronto”, contained in this Clause, back to the Planning and Transportation Committee for further consideration.

The balance of the Clause was received for information.

Striking Committee Report 1**1 Appointment of Members of Council to the Bellamy Recommendations Steering Committee**

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

2 Appointment of Members of Council to the Mayor’s Economic Competitiveness Advisory Committee

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

3 Appointment of Member of Council to the Toronto City Centre Airport Community Advisory Committee

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

4 Appointments of Members of Council to the Canadian National Exhibition Association Municipal Section and Board of Directors

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

5 Nomination of Members of Council to the Hockey Hall of Fame and Museum Board of Directors

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

6 Appointment of Member of Council to the Royal Agricultural Winter Fair Board of Governors

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

7 Appointment of Member of Council to the Ryerson Centre Board of Directors

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Works Committee Report 1

1 Award of Long-term Mixed Broken Glass Contract to Unical Inc. Resulting from Stewardship Ontario's Glass Market Development Fund Request for Proposals for the Provision of Processing Capacity For Mixed Broken Glass

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

2 Appointments to the Community Environmental Assessment Team

City Council on January 31, February 1 and 2, 2006, amended this Clause by deleting one name from the list of candidates recommended by the Community Environmental Assessment Team Nominating Panel, as the application was submitted unsigned, such name to remain confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it is personal information about an identifiable individual.

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

Council also considered the following:

- Confidential communication (December 16, 2005) from the Community Environmental Assessment Team Nominating Panel [Confidential Communication C.8(a)]. This communication is now public, as amended, and contains the following recommendations:

“Recommendations:

In accordance with the recommendations in the transmittal (December 16, 2005) from the Community Environmental Assessment Team Nominating Panel, the Panel recommended to Works Committee and Council that:

- (i) Council appoint the following citizens to the Community Environmental Assessment Team:

Jennifer Agnolin;
Tanya Atkinson;
Dan Boulos;
Karen Buck;
Ian Caldwell;
Chris Caners;
Heather Ducharme;
David Evans;
Isabella Faucher;
Brenda Heyer;
Mohammed Jeewa;
Edward Lee;
Elaine LePage;
Alisdair Love;
Jon Neuert;
Gord Perks;
Kathleen Reil;
Susan Williams; and
Hanna Ziada; and

- (ii) Council appoint the following citizens as Chair and Vice-Chair:

Philip Knox as Chair; and
Lee Doran as Vice-Chair.”

-
- Confidential communication (January 24, 2006) from the City Clerk [Confidential Communication C.8(b)]. This communication is now public in its entirety.
 - Confidential applications of the selected candidates for the Community Environmental Assessment Team attached to the communication (January 24, 2006) from the City Clerk. These applications remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain personal information about identifiable individuals.

3 The Use and Regulation of Segways

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

4 Standing Authority for the General Manager, Transportation Services to Dedicate Land for Public Highway, Lane or Walkway Purposes (All Wards)

City Council on January 31, February 1 and 2, 2006, amended this Clause by deleting from Recommendation (3) contained in the report (December 6, 2005) from Deputy City Manager Fareed Amin, the word “councillor”, and inserting instead the word “councillor(s)”, so that Recommendation (3) now reads as follows:

“(3) prior to the approval of any proposed dedication of land, the General Manager of Transportation Services inform the affected ward councillor(s) who shall have the option of referring the proposed dedication of land to the affected community council;”.

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

5 Scarlett Road/CP Rail Bridge Class Environmental Assessment Study (York South-Weston and Parkdale-High Park)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to the next regular meeting of City Council on April 25, 2006, and requested the Toronto Transit Commission to provide their comments directly to Council on the Scarlett Road/CP Rail Bridge Class Environmental Assessment Study.

6 Cycling Trends and Policies in Canadian Cities (All Wards)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

7 Development Infrastructure Policy and Standards – Installation of Fibre Optic Cable and Co-axial Cable Ducts in New Streets and Developer/Owner Contribution Level for Annual Traffic Calming Costs

City Council on January 31, February 1 and 2, 2006, amended this Clause by referring the following Recommendation (2) contained in the report (December 16, 2005) from the Executive Director, Technical Services, back to the Works Committee for further consideration:

“(2) the installation of surplus ducts for telecommunication is not necessary for new and existing local residential streets; and”,

and requested the Executive Director, Technical Services to report to the Works Committee on including the following additional policies with regard to cable installation:

- (a) no pavement disruption for five years after a street has been paved (City of Chicago);
- (b) all utility re-locates to be at the expense of the utility company after eight years;
- (c) the cost of utility re-locates within the eight-year period be subject to a sliding scale (FCM policy); and
- (d) co-location of multiple users.

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

8 Amendment to Contract Nos. 47007807, 47007808, 47007809, and 47008019 - Utility Company Infrastructure Relocation During Capital Construction Projects (All Wards)

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That the Executive Director, Technical Services be requested to report to Council, through the Works Committee, on a plan that would allow the City to charge the cost of re-locates to the utilities, in accordance with the Federation of Canadian Municipalities (FCM) policy.”

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

9 Morningside Avenue/Finch Avenue/CPR Grade Separations Project - Status Report (Ward 42, Scarborough-Rouge River)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

10 Impacts of Further Urban Expansion in York Region on the City of Toronto in Terms of Stormwater Quality and Quantity, Traffic Congestion and Impacts on Toronto’s Infrastructure (City-wide)

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That the General Manager, Toronto Water review the City of Toronto’s capacity to supply water to the 905 municipalities, particularly in light of urban expansion, and report to the Works Committee no later than its meeting on May 3, 2006.”

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

Council also considered the following:

- Confidential report (January 6, 2006) from the City Solicitor [Confidential Communication C.9(a)]. 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.

11 Distribution of City of Toronto Tap Water – Toronto Pure

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

12 Sponsorship and Partnership Opportunities to Enhance the Implementation of the Water Efficiency Program (All Wards)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

13 Purchase Order Amendments - Brown Daniels Associates Inc., SAP Purchase Order 6017678 and Earth Tech (Canada) Inc., SAP Purchase Order 6013866

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

14 Claim of Recycle Plus Ltd. Arising Out of Termination of Contract

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (December 23, 2005) from the City Solicitor [Confidential Communication C.10(a)]. The following staff 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 pertaining to litigation or potential litigation:

“It is recommended that:

- (1) City staff be authorized to settle the appeal of Recycle on the following basis:
 - (a) payment by the City to Recycle of \$150,000.00;
 - (b) Recycle will provide a final release to the City with respect to this matter; and
 - (c) the appeal of Recycle, and the City’s cross appeal, will be abandoned without costs; and
- (2) staff be authorized to take such steps and execute such documents as are necessary to give effect to these recommendations.”

15 Other Items Considered by the Committee

City Council on January 31, February 1 and 2, 2006, referred Item (d), entitled “Agreement Regarding Garbage Disposal Between the City of Toronto and the Regions of York, Durham and Peel”, contained in this Clause, back to the Works Committee for further consideration.

The balance of the Clause was received for information.

Etobicoke York Community Council Report 1

1 Final Report - Official Plan Amendment and Rezoning Application; Applicant: Lorne Persiko, Toronto Parking Authority for the City of Toronto, 15 Primrose Avenue (Ward 6 - Etobicoke-Lakeshore)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

2 Final Report - Official Plan Amendment and Rezoning Application; Applicant: Pedro Pimentel, Pedro Pimentel Architect 147 Brandon Avenue (Ward 17 - Davenport)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

3 Removal of One Privately Owned Tree - 65 Avonhurst Road (Ward 5 - Etobicoke-Lakeshore)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

4 Removal of One Privately Owned Tree - 24 Neilor Crescent (Ward 3 - Etobicoke Centre)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

5 Removal of One Privately Owned Tree – 19 Kingsgarden Road (Ward 5 - Etobicoke-Lakeshore)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

6 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for an Illuminated Third Party Standard Outdoor Advertising Roof Sign at 3246 Lakeshore Boulevard West (Ward 6 - Etobicoke-Lakeshore)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

Communications:

- (January 17, 2006) from Kate Mansfield [Communication 8(a)]; and
- (January 17, 2006) from Raj Bharati [Communication 8(b)].

7 Proposed “No Parking Anytime” Prohibition on Racine Road (Ward 2 - Etobicoke North)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

8 Proposed Installation of a U-Turn Prohibition on Islington Avenue between Bergamot Avenue and a point 200.0 metres south of Bergamot Avenue (Ward 2 - Etobicoke North)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

9 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Ward 13 - Parkdale-High Park) and (Ward 17 - Davenport)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

10 Request for Approval of Variance from Ch. 215, Signs, of the former City of Etobicoke Municipal Code for the Installation of Fascia and Ground Signs at 370 Rexdale Boulevard (Ward 2 - Etobicoke North)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

11 Request for Approval of Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for the Installation of Fascia Signs at 5 Carlson Court (Ward 2 - Etobicoke North)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

12 Request for Approval of Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for Illuminated and Non-Illuminated General Advertising Signs on The Queensway Elevation for a Service Station at 680 The Queensway (Ward 5 - Etobicoke-Lakeshore)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

13 Request for Approval of Variance from Chapter 215, Signs, for the former City of Etobicoke Municipal Code for an Illuminated First Party Rear Wall Fascia Sign at 1800 The Queensway (Ward 5 - Etobicoke-Lakeshore)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

14 Request for Approval of Variance from By-law 30788, of the former City of North York, for a Two Sided First Party Illuminated Ground Sign at 1881 Wilson Avenue (Ward 7 - York West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

15 Naming of Proposed Private Lane at 77 Janda Court (Ward 2 - Etobicoke North)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

16 Naming of Proposed Private Street at 975 The Queensway (Ward 5 - Etobicoke-Lakeshore)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

17 Sale of Surplus Land - North Side of Jasper Avenue Adjacent to 64 Jasper Avenue (Ward 11 - York South-Weston)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

18 Removal of One Privately Owned Tree - 41 Rosemount Avenue (Ward 17 - Davenport)

City Council on January 31, February 1 and 2, 2006, adopted the following:

“That the application for a permit to remove the 81 centimetre diameter Norway Maple tree at 41 Rosemount Avenue, be approved, subject to the following conditions:

- (1) that the owner submit a written and signed undertaking to the satisfaction of the General Manager of Parks, Forestry and Recreation stating that:
 - (a) the owner agrees, prior to any construction activity commencing on the site, to install and maintain Tree Protection Zone hoarding for the 53 centimetre diameter Norway Maple tree to be retained and protected; and
 - (b) the owner agrees to undertake excavation and construction work in a manner that minimizes disruption or damage to the roots of the Norway Maple tree to be retained; and
- (2) that in addition to the two trees proposed for planting on private property, the owner submit payment in the amount of \$588.00 to the Parks, Forestry and Recreation Division for a new tree to be planted on the adjacent street allowance or elsewhere in the community if a tree cannot be accommodated on the street allowance.”

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

19 Designation of Fire Routes in the City of Toronto Etobicoke York Community Council Area

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

20 Encroachment Agreement, 78 Bicknell Avenue (Ward 12 - York South - Weston)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

21 Removal of Pedestrian Crossover on Islington Avenue at Golfdown Drive; and Installation of Pedestrian Activated Traffic Lights (Ward 2 - Etobicoke North)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause until its next regular meeting on April 25, 2006, and requested the General Manager, Transportation Services to submit a report to that meeting on the warrants, and provide information on the Police report, outlining the circumstances of the accident that took place at this location.

Council also considered the following:

- Report (January 24, 2006) from the General Manager, Transportation Services [Communication 23(a)].

Communication:

- various letters and petitions submitted by Councillor Rob Ford, Ward 2, Etobicoke North [Communication 23(b)].

22 Liquor Licence Application - 9 Milvan Drive, Units 1 and 2 (Ward 7 - York West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

23 Hospital Closures (Ward 7 - York West), (Ward 11 - York South-Weston) and (Ward 12 - York South-Weston)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

24 Other Items Considered by the Community Council

City Council on January 31, February 1 and 2, 2006, received this Clause, for information.

North York Community Council Report 1

1 Request for Removal of Traffic Calming Measures – Bridle Path Area (Ward 25 - Don Valley West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

2 Encroachment Agreement - 267 Burbank Drive (Ward 24 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted the staff recommendations contained in the Recommendations Section of the report (October 31, 2005) from the Manager, Municipal Licensing and Standards, North York District [as contained in the Clause].

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

3 Request for Fence Exemption - 391 Lawrence Avenue West (Ward 16 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

4 Request for Fence Exemption - 29 Bessborough Drive (Ward 26 - Don Valley West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

5 Removal of One Privately Owned Tree - 160 Ellerslie Avenue (Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

6 Request for Driveway Entrance Side Yard Variance - 127 Gilley Road (Ward 9 - York Centre)

City Council on January 31, February 1 and 2, 2006, 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 - 39 Montgomery Avenue (Ward 16 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

8 Eastbound Right Turn Lane Designation - North York Boulevard at Yonge Street (Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

9 40 km/h Speed Limit - Torresdale Avenue (Ward 10 - York Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

10 Turn Prohibitions - Magnetic Drive - 2181 Steeles Avenue West (Ward 8 - York West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

11 Eastbound Right Turn Lane Designation - Steeles Avenue West at Yonge Street (Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

12 Parking Prohibitions - Canvarco Road (Ward 26 - Don Valley West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

13 Turn Prohibitions - Bathurst Street, north of Eglinton Avenue, east of Bathurst Street (Ward 10 - York Centre & Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

14 40 km/h Speed Limit - Tobermory Drive (Ward 8 - York West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

15 Parking Prohibitions - Ambrose Road (Ward 24 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

16 Turn Prohibitions - 21- 45 St. Clements Avenue (St. Clements School) (Ward 16 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

17 Parking Prohibitions - Cheltenham Avenue, Mildenhall Road to St. Ives Crescent (Ward 25 - Don Valley West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

18 Relocation of On-Street Parking Space for Persons with Disabilities - 1 Cheritan Avenue (Ward 16 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

19 Pedestrian Crossing Prohibition - Bathurst Street and Neptune Drive (Ward 15 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

20 Parking Prohibitions - Radine Road, Poyntz Avenue to Florence Avenue (Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

21 Bridge Rehabilitation - Sheppard Avenue East at Leslie Street (Ward 24 - Willowdale & Ward 33 - Don Valley East)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

22 Traffic Calming Measures - Brookbanks Drive (Ward 34 - Don Valley East)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

23 Stopping Prohibitions - Sunnydene Crescent (Ward 25 - Don Valley West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

24 Parking Prohibitions - James Gray Drive (Ward 24 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

25 Turn Prohibitions - 4200 Bathurst Street (Ward 10 - York Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

26 Turn Prohibitions - 1890 Avenue Road (Ward 16 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted the staff recommendations contained in the Recommendations Section of the report (December 21, 2005) from the Director, Transportation Services, North York District [as contained in the Clause].

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

27 School Zone Review - Elkhorn Public School (Ward 24 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

28 Parking Prohibitions/Traffic Control Restrictions - Tommy Douglas Gardens and Beograd Gardens - Roselawn Villas - 1001 Roselawn Avenue (Ward 15 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

29 Proposed Naming of the New Soccer Centre Facility at the Keele Reservoir located at 4995 Keele Street (Ward 8 - York West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

30 Proposal Report / Terms of Reference – File No. 05 202235 NPS 00 TM Orfus Road “ Discount District” Study Terms of Reference (Ward 15 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

31 Final Report - Rezoning Application - 05 109222 NNY 24 OZ - Louis Zoppi - Jardin Design Group Inc. - 198-202 Finch Avenue East (Ward 24 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

32 Final Report - Rezoning Application - 03 191556 NNY 23 OZ - C.Y. Lee - 229 Finch Avenue West (Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

33 Final Report - Rezoning Application - 04 192756 NNY 23 OZ - Richard Y.S. Min, Min & Associates Inc., Architects - 140 Finch Avenue West (Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

34 Final Report - Rezoning Application - 04 104130 NNY OZ - Victor Rosa, V. Rosa Designs Limited - Pedro Pimentel Architect - 2462 Dufferin Street (Ward 15 - Eglinton-Lawrence)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

35 Request for Direction Report - Application to Amend the Official Plan and Zoning By-law and Consent Application – 04 177123 NNY 09 OZ and B50/05NY - Kennedy Self, PMG Planning Consultants - Turner Fleischer Architects Inc. (Ward 9 - York Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

36 Refusal and Request for Direction Report - Application to Amend the Official Plan and Zoning By-law and Application for Site Plan Approval 04 112069 NMI 25 OZ – Homestead Land Holdings Ltd. – Landau Architect Inc. & Fleiss Gates McGowan Easton Architects Inc., 1000 Mount Pleasant Road (Ward 25 - Don Valley West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

37 Ontario Municipal Board Hearing – Committee of Adjustment Application - 335 Riverview Drive (Ward 25 - Don Valley West)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

38 Parking Prohibitions - Dornfell Street (Ward 23 - Willowdale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

39 Ontario Municipal Board Hearing - Committee of Adjustment Application A0457/05NY- Westmount Keele Limited - 2737 Keele Street (Ward 9 – York Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

40 Other Items Considered by the Community Council

City Council on January 31, February 1 and 2, 2006, postponed Item (k), entitled “Ontario Municipal Board Hearing - Committee of Adjustment Application A0693/05NY - Verdicro Holdings Ltd. – 0 Bayview Avenue E/S - North-east Corner of Bayview Avenue and Sheppard Avenue East (Ward 24 - Willowdale)”, contained in this Clause, to its special meeting on February 14, 2006.

The balance of the Clause was received for information.

Scarborough Community Council Report 1

1 Designation of Fire Routes in the City of Toronto Scarborough Community Council Area

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

2 Request for Approval of a Variance from the Scarborough Sign Code By-law 22980, as amended, for One Ground Sign at 850 Progress Avenue (Ward 38 - Scarborough Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

3 Request for Approval of a Variance from the Scarborough Sign Code By-law 22980, as amended, for One Additional Wall Sign at 300 Consilium Place (Ward 38 - Scarborough Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

4 Request for Fence Exemption 43 Marblemount Crescent (Ward 40 - Scarborough Agincourt)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

5 Request for Fence Exemption 2779 Victoria Park Avenue (Ward 40 - Scarborough Agincourt)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

6 Proposed Speed Limit Reduction on Oakridge Drive between Bellamy Road South and McCowan Road (Ward 36 - Scarborough Southwest)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

7 Proposed Installation of Traffic Control Signals Midland Avenue at Gilder Drive/Lord Roberts Drive (Ward 37 - Scarborough Centre)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

8 Request for a Truck Prohibition on Orchid Place Drive (Ward 42 - Scarborough Rouge River)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

9 Proposed Minor Street Stop Signs at Five Intersections in the Woburn Community (Ward 43 - Scarborough East)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

10 Proposed Minor Street Stop Signs at Nine Intersections in the Woburn Community (Ward 43 - Scarborough East)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

11 Request for Direction, Preliminary Report Official Plan and Rezoning Application 04 203869 ESC 44 OZ Ballantry Homes and Romlek Enterprises - 1625 Military Trail Highland Creek Community (Ward 44 - Scarborough East)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

12 Refusal Report Rezoning Application 05 187171 ESC 39 OZ N. Y. Lee, 1632495 Ontario Inc. 2716 and 2718 Kennedy Road L' Amoreaux Community (Ward 39 - Scarborough Agincourt)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

13 Final Report Amendment to Site Plan Control By-law 21319 City Initiated Application 05 202657 ESC 42 TM Mattamy (Rouge) Limited Subdivision Blocks 169 and 170, Plan 66M-2419 (Ward 42 - Scarborough Rouge River)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

- 14 Final Report Rezoning Application 04 175530 ESC 35 OZ Draft Plan of Subdivision Application 04 175559 ESC 35 SB Mattamy (Warden) Limited (Architect: Quadra Design Studios Inc.), 725 Warden Avenue - Golden Mile Employment District (Ward 35 - Scarborough Southwest)**

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

- 15 Final Report Rezoning Application 05 110455 ESC 35 OZ Draft Plan of Subdivision Application 05 188717 ESC 35 SB 1007328 Ontario Limited (Burka Varacalli Architects) 300 Danforth Road - Oakridge Employment District (Ward 35 - Scarborough Southwest)**

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

- 16 Final Report Rezoning Application 04 204283 ESC 35 OZ Draft Plan of Subdivision Application 04 204285 ESC 35 SB Goldman Centennial Dev. Ltd. (John Blums Architect Inc.) 651 Warden Avenue - Oakridge Employment District (Ward 35 - Scarborough Southwest)**

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

- 17 Final Report Rezoning Application 04 196831 ESC 35 OZ Draft Plan of Subdivision Application 05 192790 ESC 35 SB Stafford Homes Limited (Kohn Architects Inc.) 671 Warden Avenue - Oakridge Employment District (Ward 35 - Scarborough Southwest)**

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

- 18 Final Report Subdivision Approval Application 05 160363 ESC 44 SB Sundance (Tideswell) Developments 4 Tideswell Boulevard Rouge Community (Ward 44 - Scarborough East)**

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

- 19 Final Report Rezoning Application 05 139378 ESC 44 OZ 1453351 Ontario Inc. (Carillion Canada Inc.) 20 Rozell Road Centennial Community (Ward 44 - Scarborough East)**

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

20 Feasibility of Implementing Traffic Calming On Fairfax Crescent (Ward 35 - Scarborough Southwest)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

21 Assumption of Services 901865 Ontario Inc. Subdivision Application No. T-97016 Registered Plan of Subdivision South of Highway 401, West of Zaph Avenue (Ward 44 - Scarborough East)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

22 Assumption of Services Blueblood Developments Inc. Subdivision Application No. 55T-95003 (Revised) Registered Plan of Subdivision 66M-2317, East Side McCowan Road, South of Eglinton Ave. East and the CN Railway (Ward 36 - Scarborough Southwest)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

23 Amendment to Subdivision Agreement Report Industrial Subdivision Agreement 66M-2205 Runnymede Development Corporation Limited South-East Corner of Passmore Avenue and Markham Road (Ward 42 - Scarborough Rouge River)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

24 Other Items Considered by the Community Council

City Council on January 31, February 1 and 2, 2006, received this Clause, for information.

Toronto and East York Community Council Report 1

1 Requests for Endorsement of Events for Liquor Licensing Purposes (Ward 19 - Trinity-Spadina; Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That City Council indicate, for liquor licence purposes, that it has no objection to the granting of an extension of the liquor licences of the following establishments to sell and serve alcohol until 4:00 a.m., for the duration of the Canadian Music Week, to be held on March 1 to 4, 2006, at the Fairmont Royal York Hotel and other various downtown venues:

Bovine Sex Club, 542 Queen Street West,
Big Bop (Reverb), 651 Queen Street West,
Drake Hotel, 1150 Queen Street West,
Healey's, 178 Bathurst Street,
Horseshoe Tavern, 370 Queen Street West,
Imperial Room, Royal York Hotel, 1 Front Street West,
Lee's Palace, 529 Bloor Street West,
Rivival, 783 College Street, and
Rivoli, 332 Queen Street West.”

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

Council also considered the following:

Communication:

- (undated) from Verle Mobbs, Canadian Music Week [Communication 14(a)].

2 Final Report - Official Plan Amendment and Rezoning Application and Subdivision Application - Bridgepoint Health – 430 Broadview Avenue, 14 St. Matthews Road and 548, 550-558 Gerrard Street East (Bridgepoint Health) (Ward 30 - Toronto-Danforth)

City Council on January 31, February 1 and 2, 2006, adopted the following:

“That:

- (1) Council adopt the staff recommendations contained in the Recommendations Section of the report (January 4, 2006) from the Director, Community Planning, Toronto and East York District [as contained in the Clause];
- (2) Council adopt the following staff recommendation contained in the Recommendation Section of the supplementary report (January 31, 2006) from the Chief Planner and Executive Director, City Planning:

‘It is recommended that City Council direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment 1.’; and

- (3) a Riverdale Bridgepoint Liaison Committee be established, with membership to include representatives from the Riverdale Historical Society, the Task Force to Bring Back the Don and interested community partners, and a mandate to provide advice to Council on the implementation of the Urban Design Guidelines entitled 'Bridgepoint Health Don Jail Site Master Plan', dated October 28, 2005;
- (4) the report (January 16, 2006) from the Director, Transportation Services, Toronto and East York District, relating to appropriate locations for two signalized intersections on Broadview Avenue, north of the Bridgepoint lands, south of Danforth Avenue, be referred to the Riverdale Bridgepoint Liaison Committee for consideration and report to the Works Committee; and
- (5) Bridgepoint Health be requested to consider the following two motions of the Task Force to Bring Back the Don, and report to the Toronto and East York Community Council:

'That:

- (1) the footprint of the building as outlined in the Master Plan not be moved any further west into the ravine; and
- (2) Bridgepoint Health be requested to prepare a study to assess impacts on the natural environment with a view to achieving a "net gain" in environmental values through this redevelopment.' "

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

Council also considered the following:

- Report (January 31, 2006) from the Chief Planner and Executive Director, City Planning [Communication 2(b)].

Communications:

- (January 2006) from Rowena Mak [Communication 2(a)(1)];
- (January 11, 2006) from Eileen Ryan, Interim Executive Director, East York Access Centre [Communication 2(a)(2)];
- (January 11, 2006) from Melissa Wright, Assistant Special Events Coordinator, Bridgepoint Health Foundation [Communication 2(a)(3)];

- (January 14, 2006) from Kimberly Thorpe [Communication 2(a)(4)];
- (January 14, 2006) from Joshua Anger [Communication 2(a)(5)];
- (January 16, 2006) from Beth Clelland [Communication 2(a)(6)];
- (January 16, 2006) from Penina Coopersmith [Communication 2(a)(7)];
- (January 16, 2006) from Roel Wyman [Communication 2(a)(8)];
- (January 16, 2006) from Mark Osbaldeston [Communication 2(a)(9)];
- (January 16, 2006) from Hamish Wilson [Communication 2(a)(10)];
- (January 17, 2006) from Barbara Millar [Communication 2(a)(11)];
- (January 17, 2006) from Steve Russell [Communication 2(a)(12)];
- (January 17, 2006) from Alec Keefer, President, Toronto Architectural Conservancy [Communication 2(a)(13)];
- (January 17, 2006) from Nora McCabe [Communication 2(a)(14)];
- (January 17, 2006) from Stephen LeBlanc [Communication 2(a)(15)];
- (January 16, 2006) from Colleen Johnston, Executive Vice-President and Chief Financial Officer, TD Bank Financial Group [Communication 2(a)(16)];
- (January 17, 2006) from Dannie Dundas [Communication 2(a)(17)];
- (January 18, 2006) from Mary A. Fatta [Communication 2(a)(18)];
- (January 19, 2006) from Vassiliki Kourmoussis [Communication 2(a)(19)];
- (January 19, 2006) from Mike G. Ramsey, Volunteer-Palliative Care Unit - Bridgepoint Hospital [Communication 2(a)(20)];
- (January 2006) from S.T. Banyu [Communication 2(a)(21)];
- (January 20, 2006) from Marian Walsh, President and Chief Executive Officer, Bridgepoint Health [Communication 2(a)(22)];
- (January 30, 2006) from George H. Rust-D'Eye, Weir Foulds LLP, Barristers and Solicitors [Communication 2(a)(23)]; and
- (January 11, 2006) from M. Earl Duffy, addressed to Councillor Paula Fletcher, Ward 30, Toronto-Danforth [Communication 2(a)(24)].

3 Permanent Closing of a Portion of the Unnamed Public Highway Abutting the West Limit of 78 Manor Road East (Ward 22 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

4 Final Report - Section 37 Agreement - 2195 Yonge Street (Ward 22 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, amended this Clause by:

- (1) deleting Recommendation (2) and inserting instead the following:

- “(2) require that this approval be conditional on the execution by Minto Midtown Development and other necessary parties, of an agreement or agreements for the implementation and administration of the program based on the provisions of Attachment 1 no later than March 31, 2006, in form and substance to the satisfaction of the General Manger, Shelter, Support and Housing Administration;”; and
- (2) deleting from Recommendation (4) the date “February 15, 2006”, and inserting instead the dated “March 1, 2006”, so that Recommendation (4) now reads as follows:
- “(4) further provide by approval of this recommendation that if the conditions in Recommendation (2) are not met by March 1, 2006, the City authorize the City Solicitor, in consultation with General Manager, Shelter, Support and Housing Administration, to exercise the City’s option under the terms of the Section 37 Agreement to advise the Owner that it rejects the rent supplement proposal and requires the Owner to pay to the City forthwith the full sum of \$1,000,000.00; and”.

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

5 Final Report - Application to Amend the Zoning By-law - 108-116 George Street and 234 Adelaide Street East (Ward 28 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

6 Refusal and Directions Report - Official Plan Amendment and Rezoning Application - 4, 6 and 8 St. Thomas Street and 100-110 Charles Street West; and Intention to Designate under Part IV of the Ontario Heritage Act - 6 and 8 St. Thomas Street (University Apartments) (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, amended this Clause by adding the following:

“That:

- (I) City Council authorize the City Solicitor, in the event that a settlement can be reached, to settle the appeal of the Official Plan and Zoning By-law Amendment application generally on the basis of the following Development Guidelines:

‘Development Guidelines:

- (1) to achieve a built form appropriate for the site and consistent with the built and approved urban structure, and to minimize shadow impacts:
 - (i) reduce the 37-metre (12-storey) building component to approximately 29 metres (nine storeys);
 - (ii) reduce the 74-metre (21-storey) building component to approximately 60 metres (18 storeys) and incorporate articulation of the tower floor plate, including pulling back the northeast and southeast corners on the St. Thomas Street frontage;
 - (iii) extend the podium along the Charles Street West frontage to the westerly edge of the development. Alternatively, set back the tower element at least two metres so that the McKinsey Building and the currently proposed podium read as a lower scale street wall on Charles Street West; and
 - (iv) in conjunction with the above, maintain the setbacks and upper levels step-backs on the St. Thomas Street frontage;

- (2) request the Ontario Municipal Board to withhold its Order giving final approval to the modified proposal as set out in (1) above, until the following conditions set out in (i), (ii), (iii), (iv) and (v) are satisfied:
 - (i) the Owner executes one or more heritage easement agreements pursuant to Section 37 of the *Ontario Heritage Act* satisfactory to the Chief Planner and Executive Director of City Planning and the City Solicitor, and such agreements are registered on title to the lands in a manner satisfactory to the City Solicitor, for the properties municipally known as 8 St. Thomas Street and 6 St. Thomas Street;
 - (ii) the implementing by-laws include the provision and maintenance of the following facilities, services and matters by the Owner, at its expense, and in accordance with the agreement referred to below, as conditions to the increases in height and density to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director of City Planning pursuant to Section 37 of the *Planning Act*:

- (a) a public art contribution in accordance with the City of Toronto's Public Art Program for a value not less than one percent of the gross construction cost of all buildings and structures on the lands;
- (b) exterior building materials on the elevations of the development and landscaping materials satisfactory to the Chief Planner and Executive Director of City Planning;
- (c) tree protection securities for the four London Plane trees in the St. Thomas Street right-of-way abutting the site satisfactory to the General Manager of Parks, Forestry and Recreation;
- (d) provisions requiring the Owner to replace and secure as rental housing for a period of not less than 20 years, not less than 29 affordable replacement rental units of a similar size and type subject to Victoria University providing the outstanding documentation verifying that 11 units were used as student housing by Victoria University. In the absence of submitting the appropriate documentation, the number of affordable replacement rental units shall be 40 units representing the number of existing units at 6 and 8 St. Thomas Street;
- (e) provisions requiring the Owner to maintain the affordable replacement rental units at affordable rents for a period of not less than 10 years, with the rent increase protections continuing for tenants remaining at the end of the 10 year period for as long as they occupy their units;
- (f) a tenant relocation and assistance package including the right to return to a replacement unit, to the satisfaction of the Chief Planner and Executive Director of City Planning;

-
- (g) other community benefits, including streetscape improvements, as appropriate;
 - (h) payment to the City for any improvements/upgrades to the municipal infrastructure and municipal lighting, should it be determined that improvements/upgrades are required to support the development, according to the reports identified in 2(iv)(b) and (iv)(c) below, as reviewed and accepted by the Executive Director of Technical Services;
 - (i) payment to the City for the cost of removing the pay and display parking spaces on Charles Street West plus any additional costs to offset the lost revenue of these parking spaces satisfactory to the Toronto Parking Authority;
 - (j) installation of an irrigation system with automatic timer when three or more trees are planted in a City right-of-way to the satisfaction of the Executive Director of Technical Services;
 - (k) provisions securing the appropriate rights-of-way and easements over the existing ramp off Sultan Street for vehicular and pedestrian access to the underground parking garage servicing the development to the satisfaction of the General Manager of Transportation Services;
 - (l) fully document the existing building at 4 St. Thomas Street and submit such documentation to the satisfaction of the Manager, Heritage Preservation Services, prior to any demolition activities on the site; and
 - (m) such other conditions as may be appropriate to ensure the orderly development of the lands as required by the Chief Planner and Executive Director of City Planning;

- (iii) the Owner enters into one or more agreements with the City pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director of City Planning and the City Solicitor, to secure the facilities, services and matters set forth in 2(ii)(a) to (m) above, such agreement(s) be registered on title to the lands in a manner satisfactory to the City Solicitor;
 - (iv) the applicant submits at least six weeks prior to the City Solicitor forwarding the final Official Plan Amendment and Zoning By-law Amendment to the Ontario Municipal Board for its consideration, the following outstanding studies as set out in the Refusal and Directions Report and materials to the satisfaction of the appropriate City officials:
 - (a) a Pedestrian Level Wind Study;
 - (b) a Site Servicing Report;
 - (c) a Street Lighting Review;
 - (d) a Heritage Impact Statement;
 - (e) final drawings of the revised proposal as set out in (1) satisfactory to the Chief Planner and Executive Director of City Planning; and
 - (f) survey and reference plans to the Executive Director of Technical Services for review and approval; and
 - (v) an Official Plan Amendment, Zoning By-law Amendment are prepared to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director of City Planning.;
- (II) the following staff recommendations contained in the Recommendations Section of the supplementary report (January 30, 2006) from the Chief Planner and Executive Director, City Planning, be adopted:

‘It is recommended that:

- (1) City Council include the property at 110 Charles Street West (McKinsey and Company Building) on the City of Toronto Inventory of Heritage Properties;
 - (2) City Council state its intention to designate the property at 110 Charles Street West (McKinsey and Company Building) under Part IV of the *Ontario Heritage Act*;
 - (3) if there are no objections to the designation in accordance with Section 29(6) 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*;
 - (4) if there are any objections in accordance with Section 29(7) of the *Ontario Heritage Act*, the City Clerk be directed to refer the proposed designation to the Conservation Review Board; and
 - (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and
- (III) **‘WHEREAS** the Official Plan for the former City of Toronto provides for additional density for heritage buildings Designated under Part IV of the *Ontario Heritage Act*; and

WHEREAS 110 Charles Street West was not designated under Part IV of the *Ontario Heritage Act* at the time the development application was considered by the Chief Planner and Executive Director, City Planning;

NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning be requested to take into consideration the Designation of 110 Charles Street West (McKinsey and Company Limited) in any further negotiations relating to the settlement of this appeal.’ ”

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

Council also considered the following:

- Report (January 30, 2006) from the Chief Planner and Executive Director, City Planning [Communication 1(b)].

Communications:

- (January 16, 2006) from William Ostrander [Communication 1(a)]; and
- (January 30, 2006) from Gee Chung, President, The Greater Yorkville Residents Association [Communication 1(c)].

7 Residential Demolition Application - 11 Kenwood Avenue (Ward 21 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

8 Approval of the Conservation of Parts of a Heritage Building and Authority to Enter Into a Heritage Easement Agreement - 2 Strachan Avenue - Hockey and Sports Halls of Fame (Ward 19 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (January 18, 2006) from John Martins-Manteiga, Director/Curator, Museum of Modern Architecture and Design [Communication 5(a)].

9 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 1 Jefferson Avenue and 1A Atlantic Avenue (Ward 14 - Parkdale-High Park and Ward 19 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

Council also considered the following:

Communications:

- (January 17, 2006) from Raj Bharati [Communication 3(a)(1)]; and
- (January 17, 2006) from Jane Siklos, York Heritage Properties [Communication 3(a)(2)].

10 Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Residential Boulevard Parking for a Second Vehicle – 871 Richmond Street West (Ward 19 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Communication:

- (January 16, 2006) from Phyllis McLeod [Communication 6(a)].

11 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for Two Vehicles - 88 Farnham Avenue (Ward 22 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

12 Inclusion on the City of Toronto Inventory of Heritage Properties - 68 Fraser Avenue (S. F. Bowser and Company Factory) (Ward 14 - Parkdale-High Park)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

13 Inclusion on the City of Toronto Inventory of Heritage Properties - 80 Lynn Williams Street (Liberty Storage Warehouse) (Ward 19 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

14 Inclusion of Seven Properties on the City of Toronto Inventory of Heritage Properties - College Street Study (Bathurst Street to Ossington Avenue) (Ward 19 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

15 Inclusion on the City of Toronto Inventory of Heritage Properties - 137 and 141 McCaul Street (St. Patrick's Roman Catholic Church and Redemptorists Residence) (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

16 Inclusion of Six Properties on the City of Toronto Inventory of Heritage Properties - Harbord Village Area Study (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

17 Variances from Chapter 297, Signs of the former City of Toronto Municipal Code - 840 Eglinton Avenue West (Ward 21 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (January 17, 2006) from Raj Bharati [Communication 4(a)].

18 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 415 Yonge Street (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (January 17, 2006) from Raj Bharati [Communication 4(a)].

19 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 423 Yonge Street (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (January 17, 2006) from Raj Bharati [Communication 4(a)].

20 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for Two Vehicles – 36 Tarlton Road (Ward 22 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

21 Installation of a Decorative Wrought Iron Fence and Gates and Maintenance of a Glycol Heating System - 92 Dunvegan Road (Ward 22 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

22 Maintenance of a Wooden Fence - 209 Glen Road (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

23 Preliminary Report - Rezoning Application - 19 - 29 Maughan Crescent (Ward 32 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

24 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 350 Queens Quay West (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

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

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

26 Variance from By-law No. 13409, Signs, “ the University Avenue By-law” - 505 University Avenue (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

27 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 99 Blue Jays Way (51 Mercer Street) (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

28 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 8 Colborne Street (Ward 28 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

29 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 341 Bremner Boulevard (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

30 Public Art Plan - 1 Mill Street Development Project - Gooderham and Worts Distillery District (Ward 28 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

31 Rescindment of Rush Hour Stopping Prohibitions – Simcoe Street, west side, between King Street West and Wellington Street West, fronting Roy Thompson Hall – 60 Simcoe Street (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

32 Introduction of a One-Way Traffic Operation on Simcoe Street and Pullan Place - 180 Queen Street West (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

33 Proposed Installation of Traffic Control Signals and Prohibition of Southbound Right Turns – Bremner Boulevard and Navy Wharf Court (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

34 Proposed Prohibition of Westbound Left-turns – Oriole Parkway and Frobisher Road (Ward 22 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

35 Amendments to Traffic Regulations - York Street, between Richmond Street West and Queen Street West; Richmond Street West, north side, between York Street and Bay Street (Wards 27 and 28 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

36 Installation of Speed Humps - Wolfrey Avenue, between Hampton Avenue and Logan Avenue (Ward 30 - Toronto-Danforth)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

37 Traffic Calming and Lighting Issues in the Public Lane – 508 Eastern Avenue (Ward 30 - Toronto-Danforth)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

38 Traffic Operations and Safety - Cedarvale Avenue (Ward 31 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

39 Installation of a Sidewalk - Crescent Town Road, between Dawes Road and Massey Square (Ward 31 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

40 Temporary Road Occupation to Accommodate a Construction Staging Area - 20 Stewart Street (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

41 Designation of Northbound Right-turn Lane - Leslie Street and Queen Street East (Ward 32 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

42 Temporary Road Occupation to Accommodate Construction Staging Area - 40 The Esplanade (Ward 28 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

43 Temporary Road Occupation to Accommodate Construction Staging Area - 8 and 10 Scollard Street (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

44 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Ward 14 - Parkdale-High Park; Ward 18 - Davenport; Ward 19 - Trinity-Spadina; Ward 20 - Trinity-Spadina; Ward 21 - St. Paul's; and Ward 32 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

45 Provision of a “ Student Pick-up and Drop-off Area” - Niagara Street, east side, between Adelaide Street West and King Street West (Ward 19 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

46 Installation of a “ No Parking Anytime” Regulation – Pape Avenue, west side, north of Browning Avenue (Ward 29 - Toronto-Danforth)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

47 Provision of a One Hour Maximum Parking Regulation, from 8:00 a.m. to 4:00 p.m. - O' Connor Drive, north side, between Pape Avenue and Pepler Avenue (Ward 29 - Toronto-Danforth)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

48 Amendment to Parking Regulations in the vicinity of the Toronto Police Service - 55 Division Headquarters (101 Coxwell Avenue) on Dundas Street East (Ward 32 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

49 Installation of a Glycol Heating System – 39 Hawarden Crescent (Ward 21 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

50 Maintenance of a Glycol System - 307 Oriole Parkway (Ward 22 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

51 Installation of Balconies - 1 St. Thomas Street and the Charles Street West Flank (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

52 Installation of a Fence with Motorized Gates and Maintenance of a Glycol Heating System – 273 Russell Hill Road (Ward 22 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

53 Maintenance of a Metal Fence - Rear of 311 Jarvis Street (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

54 Rogers/OMNI Parking Lot on Queens Quay West (Ward 20 - Trinity-Spadina)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

55 Appointments to the Board of Management of Community Centre 55 (Ward 32 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

56 Proposed Installation of Speed Bumps in Public Lane System Bounded by Dundas Street East, Carlaw Avenue, Colgate Avenue, Natalie Place and Logan Avenue (Ward 30 - Toronto-Danforth)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

57 Lawsuit by Neville Park Homes Inc. in the Ontario Superior Court of Justice and an Appeal of the Court's Order Directing the Chief Building Official and City Council to Issue a Demolition Permit for a property - 35 Lyall Avenue (Ward 32 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (January 12, 2006) from the City Solicitor [Confidential Communication C.11(a)]. 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.

58 Reduction of the Speed Limit to 40 Kilometres Per Hour - Norlong Boulevard, between O'Connor Drive and Cosburn Avenue (Ward 31 - Beaches-East York)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

59 Ontario Municipal Board Appeals - 1A and 3 Millbank Avenue and 1 Strathearn Boulevard (Ward 21 - St. Paul's)

City Council on January 31, February 1 and 2, 2006, adopted the staff recommendations contained in the Recommendations Section of the confidential report (January 30, 2006) 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 City Solicitor be authorized to advise the Ontario Municipal Board (OMB) that the Council of the City of Toronto (‘City Council’) requests the OMB to refuse the appeals of Eric Gangbar, for minor variances to permit the proposed addition, over 1A Millbank Avenue, to the existing home at 3 Millbank Avenue [This was previously authorized by the Council action at its meeting of October 26, 27, 28 and 31, 2005, in adopting Clause 55 of Report 8 of the Toronto and East York Community Council.];
- (2) the City Solicitor be authorized to advise the OMB that City Council requests the OMB to refuse Mr. Gangbar’s appeal from the City’s refusal to issue a permit to remove the tree at the rear of 1A Millbank Avenue; and
- (3) the City Solicitor be authorized to advise the OMB that City Council has no position with respect to:
 - (a) the appeal of Eric Gangbar from the decision of the Committee of Adjustment refusing a consent application to sever a strip of land from 1A Millbank Avenue to form part of 1 Strathearn Boulevard; and
 - (b) the associated appeal of Murray Goldman from the decision of the Committee of Adjustment refusing a consent application to sever a strip of land from 1 Strathearn Boulevard to be conveyed to 1 Millbank Avenue.”

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

Council also considered the following:

- Confidential report (January 30, 2006) from the City Solicitor [Confidential Communication C.19(a)]. The above-noted staff 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 pertaining to litigation or potential litigation.

60 Ontario Municipal Board Hearing - 482 St. Clair Avenue West (Ward 27 - Toronto Centre-Rosedale)

City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.

61 Other Items Considered by the Community Council

City Council on January 31, February 1 and 2, 2006, received this Clause, for information.

Enquiries and Answers

(a)(1) (November 21, 2005) Enquiry from Councillor Michael Walker, regarding the St. Clair Avenue West Right of Way Streetcar Project.

(a)(2) (January 16, 2006) Answer from the City Solicitor.

The Enquiry (November 21, 2005) from Councillor Michael Walker and the Answer to the Enquiry (January 16, 2006) from the City Solicitor, were received.

(b)(1) (November 22, 2005) Enquiry from Councillor Michael Walker, regarding the St. Clair Avenue West Right-of-Way Streetcar Project.

(b)(2) (January 20, 2006) Answer from the City Manager.

The Enquiry (November 22, 2005) from Councillor Michael Walker and the Answer to the Enquiry (January 20, 2006) from the City Manager, were received.

(c)(1) (November 30, 2005) Enquiry from Councillor Cesar Palacio, regarding the St. Clair Avenue West Right of Way Streetcar Project.

(c)(2) (January 16, 2006) Answer from the City Solicitor.

The Enquiry (November 30, 2005) from Councillor Cesar Palacio and the Answer to the Enquiry (January 16, 2006) from the City Solicitor, were received.

Council also considered the following:

- Confidential attachment (undated) to the Answer (January 16, 2006) from the City Solicitor [Confidential Communication C.12(a)]. This attachment 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.

Councillor Mammoliti declared an interest in the Enquiries and Answers, in that his wife owns property in the subject area.

Additional Matter

Expression of Appreciation to Candidates for Appointment to Vacancies in Wards 20 and 41

Council adopted the following:

“That:

- (1) letters be sent, under signature of the Mayor, to those citizens who submitted applications for the positions of Councillor in Wards 20 and 41, thanking them for their interest in serving the City of Toronto; and
- (2) the City Clerk be requested to notify these citizens of any upcoming appointment opportunities with City agencies, boards, commissions or special purpose bodies.”

Notices of Motions

F(1) Cost of Living Adjustment for Elected Officials

Moved by Councillor Jenkins, seconded by Councillor Walker

“**WHEREAS** City Council at its meeting on September 28, 29 and 30, 2005, adopted, without amendment, Policy and Finance Committee Report 8, Clause 16, headed ‘Cost of Living Adjustment for Non Union Staff’, and, in so doing, effectively changed the rate of increase for the salaries of elected officials to correspond to increases received by union and non-union employees; and

WHEREAS it has been common practice for City Council not to vote on adjustments to their own salaries when adjustments take effect in the same term of Council; and

WHEREAS in 2000, City Council adopted a policy that annual salary increases for elected officials be based on cost of living increases;

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 8, Clause 16, headed ‘Cost of Living Adjustment for Non-Union Staff’, be re opened for further consideration, only as it pertains to salary increases for elected officials;

AND BE IT FURTHER RESOLVED THAT the Clause be amended by deleting from Recommendation (1) contained in the Recommendations Section of the report (September 1, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer, as amended by the Policy and Finance Committee, the words ‘and elected officials’, after the words ‘group of employees’;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be directed to give effect to the foregoing.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted the balance of this Motion, without amendment, and, in so doing, has decided that salaries for Members of Council will continue to be governed by Chapter 223-3 of the City of Toronto Municipal Code:

“§223-3 Annual Increase

In the years following 2003, the remuneration paid to the Mayor and the other Members of Council shall be increased annually on January 1 of the year by the increase in the Toronto Consumer Price Index, as determined by Statistics Canada.”

Council also considered the following:

- Toronto Star Article (December 16, 2005) entitled “Council’s pay hike must be rescinded”, submitted by Councillor Jane Pitfield, Ward 26, Don Valley West. [Communication 10(a)].
- Fiscal Impact Statement (December 6, 2005) from the Deputy City Manager and Chief Financial Officer.

F(2) Report of Integrity Commissioner on Complaint of Violation of Councillor's Code of Conduct

Moved by Mayor Miller, seconded by Deputy Mayor Feldman

“**WHEREAS** City Council appointed David Mullan as the Integrity Commissioner for the City of Toronto to provide independent and consistent complaint prevention and resolution, advice, opinion and education respecting the application of the Code of Conduct for Members of Council, and other by-laws/policies governing the ethical behaviour of Members, including general interpretation of the *Municipal Conflict of Interest Act*; and

WHEREAS the Integrity Commissioner has submitted a report (November 28, 2005) forwarding a response to a complaint of Violation of the Councillor's Code of Conduct;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (November 28, 2005) from the Integrity Commissioner, and that the report be received for information.”

Disposition:

City Council on January 31, February 1 and 2, 2006, received this Motion.

Council also considered the following:

- Report (November 28, 2005) from the Integrity Commissioner.

F(3) Site Plan Approval and Rezoning Application - 110 Rexdale Boulevard

Moved by Councillor Holyday, seconded by Councillor Ootes

“**WHEREAS** the City Planning Division is in receipt of Site Plan Approval and Rezoning Application TA CMB 2002 0023, for the property municipally known as 110 Rexdale Boulevard, for the redevelopment of a Petro Canada gasoline service station, including car wash, car rental agency, convenience sales and take-out restaurant; and

WHEREAS on July 22, 23 and 24, 2003, City Council conditionally approved the zoning by-law amendment for an expansion to the existing car wash building for the proposed car rental agency, convenience sales and take-out restaurant uses; and

WHEREAS the applicant has requested amendments to the proposed zoning by-law following the statutory public meeting to now permit a stand-alone kiosk structure for the convenience sales and take out restaurant uses; and

WHEREAS the applicant wishes to proceed with the application and approval in a timely manner; and

WHEREAS by a supplementary report dated December 5, 2005, the Chief Planner and Executive Director, City Planning, has reviewed the requested revisions to the proposed zoning by-law and recommends that the revised, proposed by-law be enacted;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the staff recommendations contained in the Recommendations Section of the supplementary report (December 5, 2005) from the Chief Planner and Executive Director, City Planning.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion F(3), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (December 5, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

- (1) amend the Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment appended as Attachment 4;*
 - (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;*
 - (3) amend Recommendation (3) of the Final Report (Etobicoke Community Council Report 6, Clause 15, adopted by City Council on July 22, 23 and 24, 2003) to delete the requirement of the owner to submit a Record of Site Condition acknowledged by the Ministry of the Environment, and submit a letter from the Ministry of the Environment indicating the site is not subject to an audit or that the site has passed the environmental audit; and*
 - (4) determine pursuant to Section 34(17) of the Planning Act that no further public notice regarding the proposed amendments to the zoning by-law is necessary.”*
-

Council also considered the following:

- Report (December 5, 2005) from the Chief Planner and Executive Director, City Planning.

F(4) TEDCO'S Application for Judicial Review of IPC Order MO 1966

Moved by Councillor Watson, seconded by Mayor Miller

"WHEREAS the City Clerk submitted a report to the Policy and Finance Committee advising on the status of proceedings related to the Information and Privacy Commissioner's Order MO-1966 (Report 10, Clause 43(k), entitled 'TEDCO Mega Film Studio Project: Freedom on Information Request'); and

WHEREAS the City Solicitor has prepared an in-camera report seeking clarification and instructions from Council on the City's position in an Application for Judicial Review of the Information and Privacy Commissioner's ('IPC') Order MO-1966 pertaining to the City of Toronto Economic Development Corporation; and

WHEREAS this matter must be considered at this meeting of Council, in order to submit a notice of appearance according to the rules of civil procedure if the City takes a position, or to advise the other parties immediately if the City takes no position on this issue;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the confidential report (December 1, 2005) from the City Solicitor and that Council adopt the staff recommendation contained in the Recommendation Section of the report."

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion F(4), without amendment, Council adopted, without amendment, the confidential report (December 1, 2005) from the City Solicitor. The following staff 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 not take a position in TEDCO's Application for Judicial Review of IPC's Order No. MO-1966 and that when a final court decision is rendered, that the City Clerk report back to Council through the Administration Committee."

Council also considered the following:

- Confidential report (December 1, 2005) from the City Solicitor [Confidential Communication C.13(a)]. The above-noted staff 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.

Confidential Fiscal Impact Statement (December 6, 2005) from the Deputy City Manager and Chief Financial Officer [Confidential Communication C.13(b)]. This Fiscal Impact Statement is now public in its entirety.

F(5) Western Hemisphere Travel Initiative - Request to Add Issue to the Great Lakes and St. Lawrence Cities Agenda

Moved by Councillor Moscoe, seconded by Councillor McConnell

“**WHEREAS** on September 2, 2005, the United States Department of Homeland Security published advance notice of new regulations that will require all citizens of the United States, Canada, Bermuda and Mexico to have passports to enter or re-enter the United States by January 1, 2008; and

WHEREAS these requirements will discourage cross border interaction and have devastating effects on the Canadian and American economies, particularly on border cities; and

WHEREAS the primary tourist market for Toronto is Ohio, Michigan and New York States; and

WHEREAS fewer than 23 percent of all Americans hold United States passports; and

WHEREAS a family of four will be required to spend almost \$400.00 to obtain passports to travel to Canada; and

WHEREAS the present easily accessible border facilitates 300,000 crossings a day and more than \$1.2 billion a day in trade; and

WHEREAS, for example:

- over 3,500 Canadian nurses staff Detroit hospitals;
- a truck crosses the US-Canada border every 25 seconds, 24 hours a day, and 7 days a week;

- more than 5.2 million US jobs rely on trade with Canada; and
- the regulations will result in a \$750 million decline in tourism receipts in US communities, from 2005 to 2008 alone; and

WHEREAS all Great Lakes cities are border cities; and

WHEREAS only US cities can effectively lobby the United States Congress to modify the regulations;

NOW THEREFORE BE IT RESOLVED THAT the Mayor be requested to place the Western Hemisphere Travel Initiative on the agenda of the Great Lakes and St. Lawrence Cities agenda;

AND BE IT FURTHER RESOLVED THAT City Council solicit support from all United States member municipalities to lobby Congress to modify homeland security regulations to mitigate the devastating effects of the Passport regulations on the Canadian and United States economies.”

Disposition:

City Council on January 31, February 1 and 2, 2006, referred this Motion to the Mayor for consideration.

Council also considered the following:

- Memorandum to the Standing Committee on Municipal Infrastructure and Transportation Policy (October 31, 2005) entitled “Update on the Western Hemisphere Travel Initiative”.

F(6) Access to Information - Construction Plans for Neighbouring Properties

Moved by Councillor Moscoe, seconded by Councillor Filion

“WHEREAS it is currently City practice for residents to have access to view plans of a neighbouring residential house property until the construction is completed; and

WHEREAS the Building Division has recently issued a directive that residents may not view the building plans for neighbouring properties without making a Freedom of Information request and receiving written permission from the property owner/agent; and

WHEREAS in many instances the construction may be completed before a Freedom of Information request may be processed; and

WHEREAS Councillors have also been denied this information;

NOW THEREFORE BE IT RESOLVED THAT Council direct City staff to allow residents to view building plans for neighbouring residential house properties, until construction is completed and the file closed, unless the plans are restricted at the request of the property owner/agent, for security or safety reasons;

AND BE IT FURTHER RESOLVED THAT the Building Division initiate a process whereby applicants for building permits may request, and can demonstrate, that their plans should be restricted from public viewing due to security or safety reasons;

AND BE IT FURTHER RESOLVED THAT plans that have not been so restricted be available to elected officials, if required, at any time for reasons of fulfilling their municipal responsibilities.”

Disposition:

City Council on January 31, February 1 and 2, 2006, amended this Motion by deleting the first two Operative Paragraphs and inserting instead the following:

“NOW THEREFORE BE IT RESOLVED THAT City Council direct the Chief Building Official and Executive Director, Building Division, in consultation with the City Clerk’s Office, to consult with stakeholders and to pursue the development of a policy which will allow full disclosure of all building plans, except for plans which owners have successfully applied for inclusion on a restricted buildings list;

AND BE IT FURTHER RESOLVED THAT the Chief Building Official and Executive Director, Building Division, be requested to report to the Planning and Transportation Committee by July 2006, on amendments to policy which would include a restricted buildings list and that full disclosure of building plans for buildings, other than those on the restricted building list, be implemented by February 2007.”

Motion F(6), as amended, was adopted by City Council.

Council also considered the following:

- Briefing Note (December 6, 2005) from the Director, Corporate Access and Privacy.

I(1) Grant to Save Our St. Clair (SOS) Group

Moved by Councillor Walker, seconded by Councillor Palacio and Councillor Nunziata

“**WHEREAS** in September 2004, City Council approved the St. Clair Streetcar Designated Right-of-Way Project to build an exclusive streetcar lane down the middle of St. Clair Avenue West; and

WHEREAS Save Our St. Clair (SOS) is a grass roots group of local St. Clair Avenue West residents, businesses and organizations; and

WHEREAS in August 2005, Save Our St. Clair (SOS) took the City of Toronto to Divisional Court to stop the scheduled construction of City Council’s approved St. Clair Streetcar Designated Right-of-Way Project, arguing the City’s Environmental Assessment (EA) was done under the new Official Plan when it should have been done under the in force old Official Plan; and

WHEREAS on October 11, 2005, a three-judge panel ruled in favour of SOS, awarding legal costs to SOS; and

WHEREAS on November 3, 2005, after accusations of bias and a motion from the City for the judges to recuse (withdraw) themselves because one of the judges, Justice Ted Matlow, had been fighting the City about a parking garage in his Forest Hill neighbourhood and was therefore biased; and

WHEREAS the two of the three judges removed themselves from the case, triggering a new hearing process with a new three-judge panel; and

WHEREAS the original three judges gave their original October 11, 2005 rulings separately and sequentially according to seniority, placing Justice Matlow as the last to express his ruling, thereby making it impossible for his ruling to have influenced the other Justices’ rulings; and

WHEREAS on November 18, 2005, SOS announced it is asking the Ontario Court of Appeals to uphold the October 11, 2005 ruling by the Divisional Court which found the City of Toronto had violated the *Planning Act* in the way it handled the approval of the St. Clair Streetcar Designated Right-of-Way Project; and

WHEREAS SOS lawyer, Eric Gillespie, states his client’s case should stand and that, ‘basically, the Supreme Court of Canada in a previous decision [has] already indicated that even if one judge was ultimately determined to have been biased or there was a reasonable apprehension of bias, that because of the way judicial decisions are made, the decisions of the other judges wouldn’t be affected’; and

WHEREAS Save Our St. Clair (SOS) has already raised thousands of dollars towards these ‘David and Goliath like’ court proceedings and its ability to continue to raise money from volunteers will be limited; and

WHEREAS SOS has limited funds and the City has unlimited funds to pursue this matter further;

NOW THEREFORE BE IT RESOLVED THAT City Council hereby authorize a one-time grant of up to \$30,000.00 to the Save Our St. Clair (SOS) group to enable it to re-make their case at future hearings, challenging City Council’s approval of the St. Clair Streetcar Designated Right-of-Way Project;

AND BE IT FURTHER RESOLVED THAT this contribution is deemed in the interest of natural justice – fairness and is in the interest of the Municipality;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be directed and given authority to give effect to the foregoing.”

Disposition:

City Council on January 31, February 1 and 2, 2006, referred this Motion to the Policy and Finance Committee.

Council also considered the following:

- Fiscal Impact Statement (December 6, 2005) from the Deputy City Manager and Chief Financial Officer; and
- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

Councillor Mammoliti declared an interest in this Motion, in that his wife owns property in the subject area.

I(2) Toronto Entertainment District Association Use of Metro Hall Parking
Moved by (Former) Councillor Chow, seconded by Councillor Mihevc

“**WHEREAS** restaurant business in the Toronto Entertainment District is severely suffering; both the Princess of Wales and the Royal Alexander Theatres are currently without performances; since May 2005 there have only been 8 weeks of shows combined at both theatres; and nothing will perform until a limited run (6 weeks) in one theatre starting in January 2006; and

WHEREAS there are considerable crowds and the neighbourhood is packed some evenings, nearly all are nightclub goers and few are restaurant patrons; and

WHEREAS the recent violence in and around area nightclubs has negatively affected restaurant business and every incident reported in the local media paints a dangerous picture; and

WHEREAS this economic suffering is very evident when consideration is given to the number of recent restaurant closings; more than 10 percent of Toronto Entertainment District Association's (TEDA's) members have perished and the survival of many others is in the balance; and

WHEREAS the main purpose of this proposal is to attract restaurant business to the Toronto Entertainment District; TEDA requests that the City allow 'free parking' in its Metro Hall parking facility for TEDA patrons and TEDA requests the use of the 279 parking spaces (lower level garage) from Tuesday through Saturday, from 5:00 p.m. to 11:30 p.m., with these spaces marketed as 'free parking' by TEDA for its patrons; and

WHEREAS patrons would enter the Metro Hall garage between 5:00 p.m. to 10:00 p.m., Tuesday through Saturday. Note that the entrance is only open until 10:00 p.m. because the purpose is to attract restaurant patrons only, and most kitchens in the area close by 11:00 p.m. Upon entering the garage the patron will leave a \$10.00 deposit with the parking attendant and receive a receipt. The patron dines at a participating TEDA restaurant, where they receive a \$6.00 (tax included) discount for their meal and a validation for parking. The patron returns to the garage and receives a \$4.00 refund with properly validated receipt if they exit by 11:30 p.m. The City will keep \$6.00 (tax included) per vehicle. If the patron exits after 11:30 p.m. the attendant will have already left, so they will forfeit the \$4.00 refund (the City keeps \$10.00); and

WHEREAS TEDA's estimate (based on the City's cost projections in a 2003 staff report) is break even at 68 vehicles per evening and, in order for this to happen, the City of Toronto needs to waive collection of property tax and the Province of Ontario needs to waive collection of education taxes; and

WHEREAS TEDA is requesting assistance from the City to use part of an underutilized garage in off business hours;

NOW THEREFORE BE IT RESOLVED THAT the Chief Corporate Officer be requested to report to the January 5, 2006 Administration Committee meeting, and also through the Toronto Parking Authority, on the merit of the TEDA proposal;

AND BE IT FURTHER RESOLVED THAT the City request the provincial government for an exemption of the education portion of the property tax for the purpose of non-profit use of the Metro Hall parking lot.”

Disposition:

City Council on January 31, February 1 and 2, 2006, removed this Motion from the Agenda.

J(1) Internet Broadcast of all Standing Committees, Community Councils and City Council Meetings for Viewers at Home

Moved by Councillor Walker, seconded by Councillor Jenkins

“**WHEREAS** Rogers Community Television selectively broadcasts portions of Toronto City Council for viewers at home, both through cable television and streaming video over the internet; and

WHEREAS Standing Committees, Community Councils and City Council meetings are video-taped and broadcast on a closed circuit system throughout City Hall and other select City buildings; and

WHEREAS the technology already exists to broadcast these meetings over the internet, as is the current practice with Rogers Community Television; and

WHEREAS the City of Toronto is committed to operating in an open and transparent fashion; and

WHEREAS the internet broadcast of these meetings will be a significant leap forward in transparency and will potentially set the standard for other municipalities throughout Canada and the rest of the world;

NOW THEREFORE BE IT RESOLVED THAT the appropriate City staff report on the feasibility of broadcasting all Standing Committees, Community Councils and City Council meetings over the internet;

AND BE IT FURTHER RESOLVED THAT staff also comment on the ability to broadcast this information through the City of Toronto’s main website or whether external sources will be needed.”

Disposition:

City Council on January 31, February 1 and 2, 2006, referred this Motion to the Administration Committee.

Council also considered the following:

- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(2) Improving Co-operation with Canadian National Railway (CN) and Canadian Pacific Railway (CPR)

Moved by Councillor Palacio, seconded by Councillor Nunziata

“**WHEREAS** the City of Toronto is home to many rail corridors owned and operated by the Canadian National Railway (CN) and Canadian Pacific Railway (CPR); and

WHEREAS rail corridors are an integral part of Toronto’s transportation infrastructure and present unique challenges relating to safety, cleanliness and overall City building; and

WHEREAS Councillors Nunziata and Palacio have taken the initiative to proactively meet with CN/CPR staff to discuss ways in which the City of Toronto can open lines of communication with CN/CPR and the communities rail corridors run through, and to develop the recommendations below; and

WHEREAS the City of Hamilton has worked in collaboration with CN and CPR to establish a joint City/Community Railways Liaison Committee to liaise with CN and CPR regarding issues of planning, cleanliness, safety and other important issues; and

WHEREAS Toronto is in desperate need of improved mechanisms to co-ordinate cleanliness, safety and planning issues with the railways in the City;

NOW THEREFORE BE IT RESOLVED THAT City Council endorse, in principle, the concept of a joint CN/CPR/City of Toronto/Community Liaison Committee, and that the City Manager work with CN and CPR and report to an upcoming meeting of the Policy and Finance Committee on the proposed terms of reference, composition and mandate of such a Liaison Committee, with a focus on the engagement of residents from across the City of Toronto;

AND BE IT FURTHER RESOLVED THAT the Liaison Committee include in its terms of reference, identifying potential surplus CN/CPR properties for use as City parks or public spaces throughout the City, as a priority;

AND BE IT FURTHER RESOLVED THAT the City, as an immediate step toward addressing the accumulation of garbage and debris on CN/CPR and Hydro One properties, offer to collect, on an ongoing basis, from the nearest curbside or City property, any garbage or debris collected and removed by CN/CPR or Hydro One from their property.”

Disposition:

City Council on January 31, February 1 and 2, 2006, referred this Motion to the Policy and Finance Committee.

Council also considered the following:

- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(3) Restriction of Delivery Vehicles in Downtown Core

Moved by Councillor Walker, seconded by Councillor Jenkins

“WHEREAS for the purposes of this Motion, ‘Downtown Core’ will be defined as both sides of Jarvis Street, Bloor Street, Spadina Road and all areas that fall between these boundaries, south to Lake Ontario; and

WHEREAS local and commuter traffic in the downtown core, during normal rush hours, is severely crowded, creating grid-lock; and

WHEREAS all major delivery services have admittedly factored the price of parking/no-stopping tickets into the cost of doing business; and

WHEREAS the Toronto Police Service currently employs our Parking Enforcement personnel and affords them no power to restrict delivery vehicles from blocking public roadways, short of giving them a ticket; and

WHEREAS Toronto’s Downtown Core is the business district, with employees traveling in from areas such as Oakville, Brampton, Barrie, Peterborough, Pickering and beyond; and

WHEREAS these commuters, mixed with residents of the City of Toronto, are constantly stranded in heavy traffic, largely in part due to lane blockages and other controllable obstructions; and

WHEREAS the Cities of Manhattan, New York and London, UK, have already utilized restrictions on truck deliveries with great success throughout the day and night, respectively; and

WHEREAS traffic congestion is a known cause of smog and other toxic greenhouse emissions which our City can ill-afford to increase; and

WHEREAS the Kyoto Protocol is the only global mechanism with targets to reduce greenhouse gas (GHG) emissions; and

WHEREAS Canada is a strong supporter of the Kyoto Protocol and is currently far above the world average in emissions per person, as well as Kyoto's target for total emissions (second worst above Katar); and

WHEREAS a reduction in traffic congestion will result in lowering Toronto's toxic greenhouse gas emissions;

NOW THEREFORE BE IT RESOLVED THAT delivery vehicles be restricted from entering the Downtown Core during the hours of 7:00 a.m. to 10:00 a.m. and 3:00 p.m. to 6:00 p.m., Monday to Friday;

AND BE IT FURTHER RESOLVED THAT the appropriate City staff take the necessary actions to give effect to the foregoing."

Disposition:

City Council on January 31, February 1 and 2, 2006, referred this Motion to the Works Committee.

Council also considered the following:

Communication:

- (February 1, 2006) from Anthony van Heyningen, Executive Director, Refreshments Canada [Communication 26(a)].

- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

Councillor Grimes declared an interest in this Motion, in that he is the owner of a Transportation Logistics Company.

J(4) 5-Year Toronto Bike Plan

Moved by Councillor Giambrone, seconded by Councillor De Baeremaeker

“WHEREAS multi-use trails in parks constitute an important part of the Bikeway Network as envisioned in the Toronto Bike Plan; and

WHEREAS implementing the Bikeway Network Information System (BNIS), including bike route signs and kiosks, is an important element in the Bikeway Network; and

WHEREAS Transportation Services will commence its third phase of implementation of the BNIS route signs on streets; and

WHEREAS the Parks, Forestry and Recreation Division has not yet started its implementation of the BNIS in parks; and

WHEREAS there is funding in the 2006 Parks, Forestry and Recreation Budget for expansion of the Bikeway Network trails in parks and signage for park trails; and

WHEREAS the Parks, Forestry and Recreation Division is developing a 5-year Capital budget plan that will include funding to implement the parts of the Toronto Bike Plan that fall under the responsibility of the Parks, Forestry and Recreation Division;

NOW THEREFORE BE IT RESOLVED THAT Parks, Forestry and Recreation Division staff report to the Economic Development and Parks Committee and the Toronto Cycling Committee on the Toronto Bike Plan-related projects that they will undertake in 2006 – 2011, including:

- (1) the plans for implementing the Bikeway Network Information System in Parks, including the trails that are to be signed and the spending that will be allocated to that project from the ‘Bikeway Network Expansion’ budget items or any other line items;
- (2) their plans for new trails that will form part of the Bikeway Network with information on the trail projects planned and the funding that will be allocated to them, including:
 - (a) trail projects funded from of the ‘Bikeway Network Expansion’ budget item;
 - (b) trail projects that are stand-alone service improvements; and
 - (c) trail projects that are part of stand-alone Park improvements;
- (3) the plans for improvements, upgrades or repairs to existing Bikeway Network trails under the Capital Asset Management Program - State of Good Repair budget, including:
 - (a) compilation of the trail audit data for Bikeway Network related trails from the State of Good Repair Audits - Trails and Pathways for the East, West, North and South Districts; and
 - (b) the annual amount budgeted towards addressing State of Good Repair for the Bikeway Network related trails in the years 2006 to 2011;

- (4) the plan for repairs to trails and bridges that are part of the Bikeway Network that suffered storm damage in 2005, including the Wilket Creek Trail, the Highland Creek Trail, the Highland Creek Trail bridges, the Humber Trail and any other trails or bridges that were damaged; and
- (5) the status of the development of the Parks, Forestry and Recreation 5-year Capital plan, as it pertains to the Toronto Bike Plan, including plans for Bikeway Network Expansion, stand-alone service or park improvements, repairs and upgrades to trails that are part of the Bikeway Network as part of the CAMP-SGR program, and implementation of the Bikeway Network Information System.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

J(5) Agreement for Use of City Property - San Lorenzo Latin American Community Centre

Moved by Councillor Fletcher, seconded by Councillor Moscoe and Councillor Mihevc

“**WHEREAS** the San Lorenzo Latin American Community Centre, a non-profit group, operates the first Latin American radio station in Canada and serves the fastest growing ethnic community in Toronto; and

WHEREAS the San Lorenzo Latin American Community Centre have been required by the CRTC to relocate its radio tower from its current location in the Dufferin/Lawrence Area, as it interferes with radio frequencies in the immediate residential community; and

WHEREAS the San Lorenzo Latin American Community Centre has been unable to find a suitable location; and

WHEREAS the San Lorenzo Latin American Community Centre has approached the City with a proposal for the installation of a radio tower on a City property; and

WHEREAS City Council at its meeting on October 1, 2 and 3, 2002, adopted, as amended, Policy and Finance Committee Report 13, Clause 1, headed ‘Policy for City-Owned Space Provided at Below-Market Rent (All Wards)’, whereby the San Lorenzo Latin American Community Centre would be required to complete an eligibility review to determine whether or not it meets the criteria pursuant to the Policy;

NOW THEREFORE BE IT RESOLVED THAT authority be granted to enter into an agreement with the San Lorenzo Latin American Community Centre for the interim use of a suitable parcel of City-owned land, having a radius of about 30 metres, for the installation of a radio tower for the Latin American community, for a period up to 5 years, at a recreation rate of \$3,000.00 per acre for 2006 (being rent of \$933.00 for 2006) and thereafter to be increased annually by the rate of inflation as calculated by Statistics Canada, Consumer Price Index – all items annual average index for Toronto and in a form and content satisfactory City Solicitor;

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 January 31, February 1 and 2, 2006, amended this Motion by deleting the first Operative Paragraph and inserting instead the following new Operative Paragraphs:

“NOW THEREFORE BE IT RESOLVED THAT authority be granted to enter into an agreement with the San Lorenzo Latin American Community Centre for the interim use of a suitable parcel of City-owned land at 275 Unwin Avenue, east of Regatta Road, as determined by the General Manager of Parks, Forestry and Recreation, having a radius of about 30 metres, for the installation of a radio tower having a height of no more than 80 feet for the Latin American community, for a period up to 5 years, at a recreation rate of \$3,000.00 per acre for 2006 (being rent of \$933.00 for 2006) and thereafter to be increased annually by the rate of inflation as calculated by Statistics Canada, Consumer Price Index – all items annual average index for Toronto and in a form and content satisfactory City Solicitor;

AND BE IT FURTHER RESOLVED THAT the General Manager, Parks, Forestry and Recreation report to the Administration Committee on the agreement within six months;”.

Motion J(5), as amended, was adopted by City Council.

Council also considered the following:

Communication:

- (November 24, 2005) from P. Vaccani, Director, Broadcast Applications Engineering, Industry Canada, submitted by Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence [Communication 29(a)].

-
- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(6) Proposed Agreement Between Toronto Emergency Medical Services and Urgences-Sante, Quebec

Moved by Councillor Mihevc, seconded by Councillor Shiner

“**WHEREAS** the City of Montreal’s Emergency Medical Service provider, Urgences-santé, Québec, has requested emergency vehicle assistance from Toronto Emergency Services (EMS); and

WHEREAS Toronto EMS has a number of decommissioned ambulances which are now surplus to its needs, and which are waiting to be sent to the City of Toronto spring auction; and

WHEREAS Toronto EMS is in a position to rent and/or sell its decommissioned ambulances to Urgences-santé, Québec and apply the monies received to its Vehicle Reserve Fund; and

WHEREAS the request from the City of Montreal was of such short notice that Toronto EMS was unable to submit this request through the appropriate Standing Committee;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (January 23, 2006) from the Chief and General Manager, Toronto Emergency Medical Services and the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(6), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (January 23, 2006) from the Chief and General Manager, Toronto Emergency Medical Services:

“It is recommended that:

- (1) *the Chief/General Manager, Toronto Emergency Medical Services be authorized to execute, on behalf of the City, an agreement with Urgences-santé, Québec for the rental and possible sale of six decommissioned ambulances, or more if required and available, such agreement to contain the terms and conditions set out in the body of this report;*

- (2) *the net revenues received from the rental or sale of the vehicles to Urgences-santé, Québec be redirected to Toronto EMS' vehicle reserve fund to offset future vehicle purchases; and*
- (3) *the appropriate City officials be given the authority to give effect thereto."*

Council also considered the following:

- Report (January 23, 2006) from the Chief and General Manager, Toronto Emergency Medical Services.
- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(7) Integrity Commissioner Report on Complaint of Violation of Councillors' Code of Conduct – Complaint (1)

Moved by Mayor Miller, seconded by Deputy Mayor Feldman

“WHEREAS City Council appointed David Mullan as the Integrity Commissioner for the City of Toronto to provide independent and consistent complaint prevention and resolution, advice, opinion and education respecting the application of the Code of Conduct for Members of Council, and other by-laws/policies governing the ethical behaviour of members, including general interpretation of the *Municipal Conflict of Interest Act*; and

WHEREAS the Integrity Commissioner has submitted a report (December 14, 2005) forwarding a response to a complaint of Violation of the Councillor's Code of Conduct;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (December 14, 2005) from the Integrity Commissioner, and that the report be received for information.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(7), without amendment, Council received the report (December 14, 2005) from the Integrity Commissioner for information.

Council also considered the following:

- Report (December 14, 2005) from the Integrity Commissioner.

- Confidential report (December 14, 2005) from the Integrity Commissioner [Confidential Communication C.14(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about an identifiable individual.

J(8) Integrity Commissioner Report on Complaint of Violation of Councillors' Code of Conduct – Complaint (2)

Moved by Mayor Miller, seconded by Deputy Mayor Feldman

“**WHEREAS** City Council appointed David Mullan as the Integrity Commissioner for the City of Toronto to provide independent and consistent complaint prevention and resolution, advice, opinion and education respecting the application of the Code of Conduct for Members of Council, and other by-laws/policies governing the ethical behaviour of members, including general interpretation of the *Municipal Conflict of Interest Act*; and

WHEREAS the Integrity Commissioner has submitted a report (December 14, 2005) forwarding a response to a complaint of Violation of the Councillor's Code of Conduct;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (December 14, 2005) from the Integrity Commissioner, and that the report be received for information.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(8), without amendment, Council received the report (December 14, 2005) from the Integrity Commissioner for information.

Council also considered the following:

- Report (December 14, 2005) from the Integrity Commissioner.

- Confidential report (December 14, 2005) from the Integrity Commissioner [Confidential Communication C.15(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about an identifiable individual.

J(9) Ontario Municipal Board Hearing – 2415 Dundas Street West

Moved by Councillor Watson, seconded by Councillor Walker

“**WHEREAS** the Committee of Adjustment held a public meeting on September 21, 2005, to consider an application for the granting of minor variances at 2415 Dundas Street West; and

WHEREAS the Committee heard from a number of area residents who were opposed to the granting of this application and specifically expressed concerns about inadequate parking [none for six (6) residential units], garbage management/storage and snow clearing in the lane; and

WHEREAS the Committee of Adjustment approved the variance application, subject to the following three conditions; that the owner be required to make a cash payment-in-lieu of providing two parking spaces to the satisfaction of Transportation Services; that the owner be required to submit a Solid Waste Management Plan for approval to the General Manager of Solid Waste and the Ward Councillor; and that the owner be required to sign an undertaking that snow in the lane adjacent to the property will be removed within 8 hours of a 3 centimetres or greater snowfall; and

WHEREAS the applicant has now appealed these conditions to the Ontario Municipal Board and a hearing has been scheduled for February 1, 2006;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be directed to attend the Ontario Municipal Board hearing in defence of the City’s Committee of Adjustment decision.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

Council also considered the following:

- Revised Notice of Decision (October 12, 2005) from the Acting Manager and Deputy Secretary Treasurer, Toronto and East York Panel, Committee of Adjustment.

J(10) Renewal of Argonaut Rowing Club Lease

Moved by Councillor Watson, seconded by Councillor Walker

“**WHEREAS** City Council on September 22, 23, 24 and 25, 2003, by its adoption, without amendment, of Economic Development and Parks Committee Report 7, Clause 1, headed ‘Renewal of Leases for the Boat Clubs Located on City of Toronto Property (Various Wards)’, authorized the renewal of 25 boat club leases within the jurisdiction of Parks, Forestry and Recreation, for a term of 20 years; and

WHEREAS the Argonaut Rowing Club lease was not included in the list of boat club leases to be renewed, as the lease was then administered by Corporate Services; and

WHEREAS administration of the Argonaut Rowing Club lease has recently been transferred to Parks, Forestry and Recreation and it is desirable that all such leases have the same term and be subject to the same terms and conditions; and

WHEREAS the Argonaut Rowing Club has agreed to the proposed terms and conditions of the lease as outlined below;

NOW THEREFORE BE IT RESOLVED THAT the Argonaut Rowing Club’s lease, consisting of approximately 0.44 acres of land and water located at 1225 Lake Shore Boulevard West, be renewed for a term of 20 years, commencing on August 1, 2005, and expiring on July 31, 2025, on the same terms and conditions as the other 25 boat clubs, and at the same recreation rate of \$3,000.00 per acre for August 1, 2005, to July 31, 2006, (being rent of \$1,320.00) and thereafter to be increased annually by the rate of inflation as calculated by Statistics Canada, Consumer Price Index – all items annual average index for Toronto;

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 January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

J(11) Renewal of Toronto Island Canoe Club Agreement

Moved by Councillor McConnell, seconded by Councillor Rae

“**WHEREAS** City Council on September 22, 23, 24 and 25, 2003, by its adoption, without amendment, of Economic Development and Parks Committee Report 7, Clause 1, headed ‘Renewal of Leases for the Boat Clubs Located on City of Toronto Property (Various Wards)’, authorized the renewal of 25 boat club leases within the jurisdiction of Parks, Forestry and Recreation, for a term of 20 years; and

WHEREAS the Toronto Island Canoe Club agreement was not included in the list of boat club leases to be renewed, as the agreement was a pilot project; and

WHEREAS the Toronto Island Canoe Club wishes to renew the agreement and it is desirable for Parks, Forestry and Recreation that all such agreements have the same term and be subject to the same terms and conditions;

NOW THEREFORE BE IT RESOLVED THAT the Toronto Island Canoe Club's agreement, consisting of approximately 0.08 acres of land located on Wards Island, be renewed for a term of 20 years, commencing on August 1, 2005, and expiring on July 31, 2025, on the same terms and conditions as the other 25 boat clubs, and at the same recreation rate of \$3,000.00 per acre for August 1, 2005, to July 31, 2006, (being rent of \$240.00) and thereafter to be increased annually by the rate of inflation as calculated by Statistics Canada, Consumer Price Index – all items annual average index for Toronto;

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 January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

J(12) Revisions to Draft Official Plan and Zoning Amendments - Morguard Investments

Moved by Councillor Hall, seconded by Councillor Lindsay Luby

“**WHEREAS** on April 12, 13 and 14, 2005, City Council approved an application for Official Plan and Zoning Amendments to permit a four building commercial development of the Morguard Investments site at Albion Road and Finch Avenue West; and

WHEREAS adoption of the by-laws was held until conditions to approval were satisfied; and

WHEREAS in satisfying conditions to approval and processing a site plan approval application, the applicant has revised the proposal to three buildings; and

WHEREAS the Chief Planner and Executive Director, City Planning, has prepared a supplementary report (January 26, 2006);

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke York Community Council Report 3, Clause 7, headed ‘Final Report - Official Plan Amendment and Rezoning Application; Applicant: Morguard Investments; Architect: Petroff Partnership; Finch Avenue West (Ward 1 - Etobicoke North)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council consider the report (January 26, 2006) 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 January 31, February 1 and 2, 2006, re-opened Etobicoke York Community Council Report 3, Clause 7, headed “Final Report - Official Plan Amendment and Rezoning Application; Applicant: Morguard Investments; Architect: Petroff Partnership; Finch Avenue West (Ward 1 - Etobicoke North)”, for further consideration and adopted the balance of this Motion, without amendment.

In adopting the balance of Motion J(12), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (January 26, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

- (1) amend the Official Plan and Zoning Code substantially in accordance with Attachment Nos. 1 and 2 of this report, replacing Attachment Nos. 5 and 6 to the report of the Acting Director, Community Planning, West District, dated March 4, 2005, as previously authorized by City Council at its meeting held on April 12, 13 and 14, 2005; and***
- (2) determine that no further public notice be given in respect of the amendments to the Official Plan and the Zoning By-law.”***

Council also considered the following:

- Report (January 26, 2006) from the Chief Planner and Executive Director, City Planning.

J(13) Policy for Purchase of Software Containing only Canadian Spell-Check

Moved by Councillor Moscoe, seconded by Councillor De Baeremaeker

“**WHEREAS** Canadians share a common language with Americans and are often mistaken for Americans; and

WHEREAS Canadians have a desire to remain independent and apart from their North American cousins; and

WHEREAS one important distinction between the United States and Canada is subtle differences in language; and

WHEREAS this is most apparent in written language, where many words in Canadian English are spelled differently from the same word in American English; and

WHEREAS in the face of the continuous communications interchange that occurs across borders, including television, radio and the Internet, it is difficult to maintain Canadian culture; and

WHEREAS it is incumbent upon governments at all levels to reinforce our Canadian identity;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto establish a policy that, for all future purchases, the City of Toronto will purchase only software that has built-in Canadian Spell check to the exclusion of all others;

AND BE IT FURTHER RESOLVED THAT staff begin the process of, over a period of time, phasing out all software that contains American spell-check;

AND BE IT FURTHER RESOLVED THAT all City of Toronto agencies, board and commissions be requested to establish a similar policy.”

Disposition:

City Council on January 31, February 1 and 2, 2006, referred this Motion to the Administration Committee.

J(14) Change in Membership - Mayor’s Roundtable on Arts and Culture

Moved by Councillor Rae, seconded by Mayor Miller

“**WHEREAS** Gordon Graham was originally appointed to the Mayor’s Roundtable on Arts and Culture by City Council as the representative of the International Alliance of Theatrical Stage Employees (IATSE); and

WHEREAS Gordon Graham's tenure as the President of IATSE has now finished; and

WHEREAS Greg Connolly has succeeded Gordon Graham as the President of IATSE;

NOW THEREFORE BE IT RESOLVED THAT City Council amend the membership of the Mayor's Roundtable on Arts and Culture by deleting the name 'Gordon Graham', and inserting the name 'Greg Connolly' as the IATSE representative on the Roundtable."

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

J(15) City-owned Space Provided at Below-Market Rent - 666 Eglinton Avenue West

Moved by Councillor Mihevc, seconded by Councillor Walker

“WHEREAS City Council at its meeting on April 12, 13 and 14, 2005, adopted, without amendment, Policy and Finance Committee Report 4, Clause 23, headed 'Phase One Implementation of the Policy on City-Owned Space Provided at Below-Market Rent (All Wards)'; and

WHEREAS the Forest Hill Art Club, Centre Sculpture Group and Sculptors' Nine occupy below market rent space at 666 Eglinton Avenue West in Ward 21, St. Paul's West; and

WHEREAS the Forest Hill Art Club, Centre Sculpture Group and Sculptors' Nine did not meet the criteria of being an incorporated not-for-profit or having charitable status, but met the other three criteria for occupying space in a City-owned facility at below-market rent; and

WHEREAS the Forest Hill Art Club, Centre Sculpture Group and Sculptors' Nine will be allowed to continue occupying their respective City-owned space at below-market rent, subject to incorporating as a not-for-profit organization within a year and also continuing to meet the other three criteria; and

WHEREAS the Forest Hill Art Club, Centre Sculpture Group and Sculptors' Nine are not-for-profit community groups, but are not incorporated; and

WHEREAS the cost to incorporate as a not-for-profit is expensive and these three agencies have no means to pay, as they have very little revenues or none at all; and

WHEREAS the Forest Hill Art Club, Centre Sculpture Group and Sculptors' Nine have been in existence for more than 30 years, providing arts services to the community for all ages and were instrumental in this building being built; and

WHEREAS the majority of their clients are seniors;

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 23, headed 'Phase One Implementation of the Policy on City-Owned Space Provided at Below-Market Rent (All Wards)', be re-opened for further consideration, only as it relates to the Forest Hill Art Club, Centre Sculpture Group and Sculptors' Nine being allowed to continue occupying their respective City owned space at below-market rent at 666 Eglinton Avenue West;

AND BE IT FURTHER RESOLVED THAT the Forest Hill Art Club, Centre Sculpture Group and Sculptors' Nine be allowed to continue occupying their respective City-owned space at below market rent at 666 Eglinton Avenue West without incorporating as a not-for-profit, provided that they remain a not-for-profit community group and provide, to the City of Toronto, annual financial statements and annual sworn written statements indicating that they are a not-for-profit community group."

Disposition:

City Council on January 31, February 1 and 2, 2006, re-opened Policy and Finance Committee Report 4, Clause 23, headed "Phase One Implementation of the Policy on City-Owned Space Provided at Below-Market Rent (All Wards)", for further consideration, only as it relates to the Forest Hill Art Club, Centre Sculpture Group and Sculptors' Nine being allowed to continue occupying their respective City owned space at below-market rent at 666 Eglinton Avenue West, and adopted the balance of this Motion, without amendment.

Council also considered the following:

- Briefing Note (January 30, 2006) from the General Manager, Parks, Forestry and Recreation.
-
- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(16) 151 Wimbledon Road – Ontario Municipal Board Hearing, February 13, 2006 – Ward 4 (Etobicoke Centre)

Moved by Councillor Lindsay Luby, seconded by Councillor De Baeremaeker

“**WHEREAS** on Thursday, October 13, 2005, the Committee of Adjustment for the City of Toronto (Etobicoke York Panel) refused Minor Variance Application No. A300/05EYK related to 151 Wimbledon Road; and

WHEREAS the proposal is to construct a new two-storey dwelling with an integral two-car, below grade garage; and

WHEREAS the variances requested from the Zoning By-law include both an increase in dwelling height and gross floor area; and

WHEREAS the variances are not in keeping with the character of the surrounding neighbourhood and the tests under the *Planning Act* have not been satisfied; and

WHEREAS City Planning staff provided written comment stating that there would be no undue hardship on the applicant to construct the dwelling in full compliance with the by-law; and

WHEREAS the applicant appealed the Committee of Adjustment decision to the Ontario Municipal Board, and a hearing for February 13, 2006, has been scheduled;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board to oppose the appeal of Minor Variance Application A300/05EYK, related to 151 Wimbledon Road;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to retain appropriate consultants, if necessary, to support City Council’s position.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

Council also considered the following:

- Notice of Decision (October 19, 2005) from the Manager and deputy Secretary-Treasurer, Etobicoke York District, Committee of Adjustment.

J(17) Draft Postering By-law

Moved by Mayor Miller, seconded by Councillor Filion

“**WHEREAS** City Council on May 17, 18 and 19, 2005, referred Planning and Transportation Committee Report 3, Clause 2a, headed ‘Harmonization of Sign By-law Concerning Posters on Utility Poles’, to the Mayor’s Office to propose a postering by-law that will place limits on postering consistent with the objectives of the ‘Clean and Beautiful City Initiative’ and the principle of ‘freedom of expression’, as outlined in the confidential report (April 4, 2005) from the City Solicitor, and requested the Mayor to report directly to Council; and

WHEREAS this is to report on the progress made in developing a postering by-law pursuant to the Council directive; and

WHEREAS the Mayor’s Office has met with some members of the Planning and Transportation Committee, as well as Municipal Licensing and Standards and legal staff, to create principles of a draft by-law;

NOW THEREFORE BE IT RESOLVED THAT the attached draft by-law be referred to the next meeting of Planning and Transportation Committee for deputations;

AND BE IT FURTHER RESOLVED THAT the Executive Director of Municipal Licensing and Standards, in consultation with the City Solicitor, report to the next meeting of the Planning and Transportation Committee on the proposed by-law.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

Council also considered the following:

- Draft By-law (undated), entitled “To add Article IV, Posters on Public Property, to Municipal Code, Chapter 693, Signs”.

J(18) Implications of Bill 206 for the City of Toronto - Reform to OMERS

Moved by Councillor Ootes, seconded by Councillor Soknacki

“**WHEREAS** the Province of Ontario is considering Bill 206 - legislation that would reform the Ontario Municipal Employees Retirement System (OMERS); and

WHEREAS some of the controversy surrounding passage of Bill 206 relates to the establishment of ‘supplemental’ plans for public safety workers – firefighters, police officers and paramedics; and

WHEREAS it has been estimated that this change could cost municipalities an additional \$380 million in annual contributions to the pension plan, without any improvements in service; and

WHEREAS the City prepared a written submission and verbally presented Council’s positions on Bill 206 to the Standing Committee on General Government, in November 2005; and

WHEREAS the key message in the City’s submission was that, although the City supports greater autonomy for OMERS, the changes must ensure the following:

- (a) the financial stability of the plan;
- (b) the fair and equitable treatment of all members; and
- (c) the containment of costs for all stakeholders; and

WHEREAS, during Second Reading, further amendments were made regarding supplemental plans, where the Second Reading version is less permissive and potentially even more costly than at First Reading; and

WHEREAS the Mayor sent a letter to the Standing Committee on General Government on January 25, 2006, acknowledging the legislation’s adoption at Second Reading regarding representation from Toronto on each of the governing bodies, and re stating the City’s other concerns and positions;

NOW THEREFORE BE IT RESOLVED THAT the City reiterate its position and strongly recommend that Bill 206 treat all members and sectors equitably, promote true autonomy and contain costs by striking out prescribed supplemental plans from the legislation and by eliminating specific references to members employed in the police, fire and paramedic sectors;

AND BE IT FURTHER RESOLVED THAT staff prepare a report for Council’s consideration, outlining all of the potential implications of Bill 206 to the City of Toronto;

AND BE IT FURTHER RESOLVED THAT because time is of the essence, and Bill 206 is expected to go to Third and Final Reading mid February, this report be considered by Council at its meeting on April 25, 2006.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion unanimously.

J(19) Funding for the “Youth Action” Project

Moved by Mayor Miller, seconded by Councillor Soknacki

“WHEREAS the City of Toronto has negotiated a contract with the Department of Justice for \$124,402.00, to provide a new post-charge diversion program serving 45 at-risk youth in Kingston Galloway, with East Scarborough Boys and Girls Club and Native Child and Family Services as the community-based service delivery agents; and

WHEREAS Youth Action will provide valuable social opportunities for youth in conflict with the law, to reduce their risk of further criminal behaviour, and will also build local community capacity within the youth justice system; and

WHEREAS Community Services Committee and Budget Advisory Committee have recommended adoption of the staff recommendations contained in the Recommendations Section of the staff report, entitled ‘ “Youth Action” – Youth Safety Project’; and

WHEREAS these Federal monies became available as of December 1, 2005, and the City’s community-based agency partners are prepared to immediately deliver this critical youth intervention program upon receipt of these funds;

NOW THEREFORE BE IT RESOLVED THAT, due to the time sensitivity of this matter, Council deal with this issue directly at its January 31, 2006 meeting, in advance of its consideration of the 2006 Operating Budget;

AND BE IT FURTHER RESOLVED THAT Council adopt the staff recommendations contained in the Recommendations Section of the report (December 20, 2005), entitled ‘ “Youth Action” - Youth Safety Project’, from the Executive Director, Social Development, Finance and Administration Division.”

Disposition:

City Council on January 31, February 1 and 2, 2006, amended this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT a copy of this Motion be referred to East Metro Youth Services for information.”

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

Council also considered the following:

Report (December 20, 2005) from the Executive Director, Social Development, Finance and Administration Division.

- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(20) 266 Airdrie Road - Committee of Adjustment File No.: A0795/05NY - Ontario Municipal Board Hearing - 2:00 p.m. February 6, 2006 - OMB File No. PL051115 - (Ward 26 - Don Valley West)

Moved by Councillor Pitfield, seconded by Councillor Jenkins

“**WHEREAS** by a Notice of Decision dated October 27, 2005, the Committee of Adjustment approved variances for work and a building constructed in or about 2001, without the required building permit at 266 Airdrie Road in Ward 26, to permit variances and construction which have the effect of denying the neighboring property 264 Airdrie Road access to their only legal on-site parking at the rear of their home; and

WHEREAS the Ward Councillor wrote to the Committee of Adjustment on October 19, 2005, requesting a deferral of its hearing of the variance application; and

WHEREAS the Committee of Adjustment denied the deferral request and denied receiving the deferral request; and

WHEREAS the City has imposed a moratorium with respect to front yard parking applications in Ward 26, and the owners of 264 Airdrie Road do not have front yard parking; and

WHEREAS the effect of the moratorium and the Committee of Adjustment’s decision may deny the owners of 264 Airdrie Road the legal on-site parking, when they had such parking prior to the existing construction approved by the Committee of Adjustment decision; and

WHEREAS the variances approved by the Committee of Adjustment in decision A0795/05NY are not minor, are contrary to the intent of the Zoning By-law and are not desirable and appropriate for the development of the land; and

WHEREAS the owners of 264 Airdrie Road have appealed the aforesaid decision of the Committee of Adjustment to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board Hearing in connection with the variance appeal is scheduled to be heard before the Ontario Municipal Board on February 7, 2006, at 2:00 p.m., at the Hearing Room, Ontario Municipal Board, 655 Bay Street, 16th Floor, Toronto, Ontario, Ontario Municipal Board File No. PL051115;

NOW THEREFORE BE IT RESOLVED THAT Council direct City of Toronto Legal Services to appear and/or retain outside legal counsel to support the appeal opposing the decision of the Committee of Adjustment in Application Submission No. A0795/05NY (Ontario Municipal Board File No. PL051115);

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to retain the necessary experts to support the appeal and oppose the application;

AND BE IT FURTHER RESOLVED THAT Council advise the Ontario Municipal Board that it is of the view that the variances approved by the Committee of Adjustment in the aforementioned decision are not minor, are not within the general intent and purpose of the By-law and are not desirable for the appropriate development of the use of the land and building.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

Council also considered the following:

- Notice of Decision (October 27, 2005) from the Manager and Deputy Secretary Treasurer, North York Panel, Committee of Adjustment.

J(21) Funding Support from Environment Canada’s Great Lakes Sustainability Fund for the City of Toronto’s Wet Weather Flow Master Plan (WWFMP) Projects

Moved by Councillor Carroll, seconded by Deputy Mayor Bussin

“**WHEREAS** Toronto Water’s application for funding submitted to Environment Canada’s Great Lakes Sustainability Fund (GLSF) to support the City’s Wet Weather Flow Master Plan (WWFMP) Projects (the ‘Projects’) has been approved for funding up to a total amount of \$175,000.00 for the fiscal year 2005/2006 (the ‘Funds’); and

WHEREAS the Funds would help Toronto Water in implementing the WWFMP approved by Toronto City Council in September 2003; and

WHEREAS the Funds, in an amount up to \$100,000.00, from the GLSF would be used to support two projects including:

- (1) Class Environmental Assessment (EA) for Coatsworth Cut Stormwater and Combined Sewer Overflow Outfalls; and
- (2) Waterfront Modelling Study for Evaluation of WWF Master Plan Implementation; and

WHEREAS the Funds, in an amount up to \$75,000.00, from the GLSF would be used to subsidize the Earl Bales Environmental Management Project/Stormwater Treatment Study of the WWFMP; and

WHEREAS the Coatsworth Cut Stormwater and CSO Outfalls Control Project is one of the projects of the WWFMP undergoing a Class Environmental Assessment to address the impacts of combined sewer overflow and storm sewer discharges to Coatsworth Cut; and

WHEREAS the Waterfront Modelling Study for Evaluation of the WWFMP Implementation Project addresses the need to evaluate the effectiveness of various end-of-pipe (EOP) facilities, contained within the WWFMP, in achieving receiving water objectives; and to assess the impact of proposed new waterfront land-uses; and

WHEREAS the Earl Bales Park Environmental Management/Stormwater Treatment Project will provide preliminary designs for stormwater management measures contained within this project including stormwater reuse options; and

WHEREAS Her Majesty the Queen in Right of Canada, represented by the Minister of the Environment, who is responsible for Environment Canada and, specifically, the GLSF requires that the City enter into a Memorandum of Understanding for each of the Projects on certain express terms and conditions; and

WHEREAS there is urgent need to conclude arrangements with the GLSF, in order to ensure the receipt of the Funds by the City before Environment Canada's fiscal year end 2005/2006; and

WHEREAS staff are seeking Council approval to receive the Funds and authority for the General Manager Toronto Water to enter into and execute the Agreements on behalf of the City;

NOW THEREFORE BE IT RESOLVED THAT Council consider this matter and grant approval to receive the Funds from the GLSF for the Wet Weather Flow Master Plan Projects and that the General Manager, Toronto Water be authorized to enter into and execute the Agreements and that staff be authorized to take whatever action is necessary to give effect thereto.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

Council also considered the following:

- Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(22) Kenaston Gardens Park - Request for Community Consultation Meeting
Moved by Councillor Shiner, seconded by Councillor Stintz

“**WHEREAS** Kenaston Gardens Park, located on the west side of the newly reconstructed street Kenaston Gardens, adjacent to and south of the Bayview/Sheppard subway station, is currently under design and development; and

WHEREAS the developer is working in consultation with the City staff to create a park where art will be integrated with the landscape park design; and

WHEREAS it is important to obtain public input on this new park, prior to any contracts being awarded for the development of this new park;

NOW THEREFORE BE IT RESOLVED THAT City staff and the developer be requested to schedule a community consultation meeting; that this meeting be held prior to the award of any contract or City approval of the plans for this park; and that this meeting be organized in consultation with the local Councillor;

AND BE IT FURTHER RESOLVED THAT any approvals of the design shall be subject to the approval of the Director of the North District, Parks and Recreation and the local Councillor.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

J(23) Community Concerns Relating to the Keele Correctional Centre – 330 Keele Street

Moved by Councillor Palacio, Councillor Watson, Councillor Nunziata and Councillor Saundercook, seconded by Councillor Mammoliti

“**WHEREAS** the Keele Correctional Centre, located at 330 Keele Street, has been in operation for over 25 years and has housed thousands of parolees in the midst of rehabilitation, including approximately 40 at the present time; and

WHEREAS these residents have often been convicted of the most serious crimes, and are often brought to the Centre from across Canada; and

WHEREAS there has been recent concern raised by residents and the media about security at the centre, and the local neighbourhood has begun to question the suitability of the Centre’s location and operations; and

WHEREAS since the initial opening of the Centre, the demographics of the surrounding neighbourhood has changed dramatically and is now home to a large number of children, seniors and other vulnerable populations; and

WHEREAS on January 30, 2006, the four (4) local City Councillors hosted a public meeting, in conjunction with the Toronto Police Service and Corrections Canada, to listen to community concerns and many valuable opinions were heard;

NOW THEREFORE BE IT RESOLVED THAT City Council formally request the Minister of Correctional Services to consider moving the Centre to a different community outside of the City of Toronto, or to disband the facility in favour of smaller facilities, spread out across the Greater Toronto Area;

AND BE IT FURTHER RESOLVED THAT City Council request Corrections Canada to immediately provide additional security at the site, particularly on evening and weekends;

AND BE IT FURTHER RESOLVED THAT City Council request Corrections Canada to commit to work with local elected officials, including City Councillors and Federal Members of Parliament, and the Toronto Police Service, to identify ways that the community can become more involved in the rehabilitation of offenders housed at the Centre, and to enable local residents to access information about who is being housed at the Centre;

AND BE IT FURTHER RESOLVED THAT City Council request that any residents of the Centre found to have used alcohol or drugs be relocated from the Centre immediately;

AND BE IT FURTHER RESOLVED THAT City Council request that dangerous offenders from outside the Province of Ontario, or sex offenders of any kind, not be allowed in the facility, under any circumstances;

AND BE IT FURTHER RESOLVED THAT City Council request that Corrections Canada develop a mechanism to notify local residents and elected officials if dangerous offenders miss curfew at the Centre.”

Disposition:

City Council on January 31, February 1 and 2, 2006, referred this Motion to the Policy and Finance Committee.

J(24) Integrity Commissioner Report on Awarding of City Contract for Market Research Services to Northstar Research Partners

Moved by Deputy Mayor Feldman, seconded by Deputy Mayor Pantalone

“**WHEREAS** City Council appointed David Mullan as the Integrity Commissioner for the City of Toronto to provide independent and consistent complaint prevention and resolution, advice, opinion and education respecting the application of the Code of Conduct for Members of Council, and other by-laws/policies governing the ethical behaviour of members, including general interpretation of the *Municipal Conflict of Interest Act*; and

WHEREAS the Integrity Commissioner has submitted a report (January 31, 2006) in response to a request for report on whether the award of a contract for research services breached any City policies or procedures;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (January 31, 2006) from the Integrity Commissioner, and that the report be received for information.”

Disposition:

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Motion to its next regular meeting on April 25, 2005.

Council also considered the following:

- Report (January 31, 2006) from the Integrity Commissioner.

Mayor Miller declared an interest in this Motion, in accordance with the provisions of the *Municipal Conflict of Interest Act*.

J(25) 2 and 6 Royal York Road - Ontario Municipal Board Hearing - February 28, 2006 (Ward 6 - Etobicoke-Lakeshore)

Moved by Councillor Milczyn, seconded by Councillor De Baeremaeker

“**WHEREAS** City Council on July 19, 20 and 21, 2005, adopted, as amended, Etobicoke York Community Council Report 6, Clause 2, headed ‘Final Report - Official Plan Amendment and Rezoning Application - Applicant: Princeway Investments - 2 and 6 Royal York Road (Ward 6 - Etobicoke-Lakeshore)’, approving amendments to the Etobicoke Official Plan and Zoning Code to permit 44 condominium units in addition to the existing rental apartment buildings at 2 and 6 Royal York Road, subject to the owner making a Section 37 contribution in exchange for the increase in permitted density, such contribution to be in the amount of \$700,000.00 to be allocated among the Mimico Train Station relocation, public park improvements, community facilities and public art in the Mimico community, in consultation with the local Ward Councillor; and

WHEREAS the owner appealed the Official Plan and Zoning Code amendment applications to the Ontario Municipal Board, on the basis of the required Section 37 community benefits; and

WHEREAS the Ontario Municipal Board has scheduled a three-day hearing for this matter, such hearing to commence on February 28, 2006; and

WHEREAS the Ontario Municipal Board held a mediation session on January 25, 2006, for the purpose of trying to facilitate a settlement between the parties; and

WHEREAS the City Solicitor wishes to report to City Council on the outcome of the mediation session and obtain direction from City Council; and

WHEREAS it is appropriate to consider the report of the City Solicitor at this meeting, as it is a ‘time sensitive’ matter; and

WHEREAS it is appropriate to consider the report of the City Solicitor in-camera, as it relates to matters of solicitor-client privilege;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the staff recommendations contained in the Recommendations Section of the attached confidential report (January 30, 2006) from the City Solicitor.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(25), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report (January 30, 2006) from the City Solicitor. The following staff 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 pertaining to litigation or potential litigation:

“It is recommended that City Council:

- (1) authorize the City Solicitor to settle the appeals to the Ontario Municipal Board on the basis of the owner agreeing to provide to the City, pursuant to Section 37 of the Planning Act, the community benefits listed in Appendix ‘A’ to this report, such matters to be secured through a Section 37 Agreement and the implementing Official Plan and Zoning Code Amendments, and further, such settlement to be on a without cost basis between the parties; and*
- (2) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.”*

Council also considered the following:

- Confidential report (January 30, 2006) from the City Solicitor [Confidential Communication C.20(a)]. The above-noted staff 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 pertaining to litigation or potential litigation.
- Confidential Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(26) Solid Waste Management Contractual Issues (All Wards)

Moved by Councillor Carroll, seconded by Councillor Palacio

“WHEREAS the City Council at its meeting of December 5, 6 and 7, 2005, in response to a staff report, introduced under Notice of Motion J(21), dated December 5, 2005, headed ‘Solid Waste Management Contractual Issues’, provided confidential instructions to staff at the in-camera portion of its meeting; and

WHEREAS there is a need to obtain further direction from Council with respect to the contractual issues that were subject to the instruction;

NOW THEREFORE BE IT RESOLVED THAT Council consider and adopt the staff recommendations contained in the Recommendations Section of the attached confidential report (January 31, 2006) from the General Manager Solid Waste Management Services and the City Solicitor.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(26), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report (January 31, 2006) from the General Manager Solid Waste Management Services and the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report and Attachments A, B, C and D to the report remain confidential, in accordance with the provisions of the Municipal Act, 2001, as they contain information related to the security of the property of the municipality or local board:

“It is recommended that:

- (1) City Council authorize the execution of an agreement with Wilson Logistics Inc. substantially on terms and conditions described in Attachment A, the Transition Term Sheet, such agreement to be otherwise on terms and conditions satisfactory to the General Manager, Solid Waste Management Services, and in a form satisfactory to the City Solicitor, which will result in a transition out of the Republic-Wilson Contract by Wilson Logistics Inc., effective March 31, 2006, or on such dates as the General Manager requires for a smooth transition;*
- (2) City Council authorize the execution of a new agreement with Republic Services Inc., Republic Services of Canada Inc. and Republic Services of Michigan I, LLC, doing business as Carleton Farms (‘Republic’), dealing with both transportation and disposal of solid waste and incorporating amendments substantially as described in Attachment D, Republic Contract Term Sheet, such agreement to be otherwise on terms and conditions satisfactory to the General Manager, Solid Waste Management Services, and in a form satisfactory to the City Solicitor;*

- (3) *the General Manager, Solid Waste Management Services, be authorized to negotiate with various transportation providers in such manner and on such terms as he considers appropriate in the circumstances, to assist in the transition of Wilson Logistics Inc. out of the Republic-Wilson Contract and be further authorized to execute one or more contracts and/or agreements on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor;*
- (4) *the General Manager, Solid Waste Management Services, be authorized to issue a procurement call in such manner and on such terms as he considers appropriate in the circumstances, for contingency disposal capacity to be utilized in the event of a closure of the U.S.-Canada border to imports of solid waste from Canada or the introduction of onerous taxes and fees;*
- (5) *in order to initiate a transition out of Michigan, the General Manager, Solid Waste Management Services, be authorized to issue a procurement call in such manner and on such terms as he considers appropriate in the circumstances, for disposal capacity in order to re-direct solid waste from the Republic-Wilson Contract in the amounts shown on the Republic Contract Term Sheet up to a maximum of 50,000 tonnes per year in 2010 and include options for disposal capacity beyond 2010;*
- (6) *City Council authorize the waiver of \$99,002.75 in penalties plus any penalties accrued since January 1, 2006, by Wilson Logistics Inc. for failure to meet load removal requirements;*
- (7) *the General Manager, Solid Waste Management Services, be authorized to purchase a 'tipper' apparatus for the emptying of haulage trailers at a cost of approximately \$500,000.00, with funds to be drawn from CSW353;*
- (8) *the General Manager, Solid Waste Management Services, be authorized to change the hours of service at the Dufferin and Victoria Park Transfer Stations from 24 hours per day five days a week, to approximately 15 hours per day, five days a week, effective on or about April 1, 2006;*
- (9) *the General Manager, Solid Waste Management Services be authorized to retain on a sole source procurement basis, on terms and conditions acceptable to the City Solicitor, the legal firm of Fasken Martineau DuMoulin LLP at a cost not to exceed \$50,000.00, inclusive of all taxes, fees and expenditures, to represent the City of Toronto with respect to the potential application of the Goods and Services Tax on the Republic-Wilson Contract;*

- (10) *in the event that negotiation of a final contract between the City and Republic fails, City Council authorize the General Manager, Solid Waste Management Services, to negotiate with transportation providers for long-term haulage in such manner and on such terms as he considers appropriate in the circumstances, execute one or more contracts and/or agreements on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor, and commence arbitration and necessary court applications against Republic to enforce the City's rights under the Republic-Wilson Contract;*
- (11) *the funding for additional haulage costs in the amount of \$4.2 million be included in Solid Waste Management Services 2006 Operating Budget; and*
- (12) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."*

Council also considered the following:

- Confidential report (January 31, 2006) from the General Manager, Solid Waste Management Services and the City Solicitor [Confidential Communication C.21(a)]. The above-noted staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report and Attachments A, B, C and D to the report remain confidential, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information related to the security of the property of the municipality or local board.
- Confidential Fiscal Impact Statement (February 1, 2006) from the Deputy City Manager and Chief Financial Officer.

J(27) Toronto Waterfront Revitalization - West Don Lands Precinct - Surplus Land Declaration and Proposed Closing and Leasing of Three Public Highways and Portions of Four Public Highways; Leasing of Four Parcels of City-Owned Property Located within the Precinct and Leasing of 33 St. Lawrence Street (Ward 28 – Toronto Centre-Rosedale)

Moved by Councillor McConnell, seconded by Councillor Mihevc

“**WHEREAS** on May 30, 31 and June 1, 2001, City Council approved a governance structure for the Toronto Waterfront Revitalization Corporation (“TWRC”) to undertake four priority projects and the project planning for a revitalization of the Toronto Waterfront; and

WHEREAS on July 20, 21 and 22, 2004, City Council adopted Policy and Finance Committee Report 6, Clause 14, thereby approving, among other matters, that the flood protection land form be a first priority in the redevelopment of the West Don Lands; and

WHEREAS on November 30, December 1 and 2, 2004, City Council adopted, as amended, Policy and Finance Committee Report 9, Clause 1, headed 'Governance Structure for Toronto Waterfront Revitalization', thereby, among other matters, approving the concept that control of public lands should be transferred to TWRC on a precinct by precinct basis, or for individual projects, on a parcel by parcel basis, following completion of a Business and Implementation Strategy for the precinct or project that is satisfactory to the three governments; and

WHEREAS on May 17, 18 and 19, 2005, City Council adopted, as amended, Policy and Finance Committee Report 5, Clause 1, thereby endorsing the April 2005 West Don Lands Precinct Plan and the March 2005 West Don Lands Class Environmental Assessment Master Plan; and

WHEREAS on September 28, 29 and 30, 2005, City Council adopted Policy and Finance Committee Report 8, Clause 2, headed 'Implementation of a New Governance Structure for Toronto Waterfront Renewal', thereby endorsing certain proposed amendments to the Toronto Waterfront Revitalization Corporation Act, 2002 that would allow the TWRC to act as an agent for the City or the Province with responsibility for implementing the Toronto Waterfront renewal, including environmental remediation and management; and

WHEREAS applications for subdivision, zoning amendments and lifting the 'H' have been submitted and are being reviewed by the City; and

WHEREAS staff of TWRC and the Ontario Realty Corporation have advised that they are now in a position to commence the hoarding of the lands required for the flood protection land form; and

WHEREAS the General Manager, Transportation Services, and the Chief Corporate Officer have submitted a report (January 30, 2006) to Council recommending that three public highways and portions of four public highways be declared surplus and be closed and leased, and recommending that four parcels of City-owned property located within the Precinct and 33 St. Lawrence Street be leased, on the terms and conditions set out in such report; and

WHEREAS it is necessary that Council consider this matter immediately, to avoid delaying the project, as the hoarding of the public streets and City-owned properties is scheduled to begin on February 10, 2006;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the report (January 30, 2006) from the General Manager, Transportation Services, and the Chief Corporate Officer, entitled ‘Toronto Waterfront Revitalization - West Don Lands Precinct - Surplus Land Declaration and Proposed Closing and Leasing of Three Public Highways and Portions of Four Public Highways; Leasing of Four Parcels of City-Owned Property Located Within the Precinct and Leasing of 33 St. Lawrence Street’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(27), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (January 30, 2006) from the General Manager, Transportation Services, and the Chief Corporate Officer:

“It is recommended that:

- (1) subject to compliance with the requirements of the Municipal Act, 2001, Water Street, Overend Street and Cypress Street and portions of Bayview Avenue, Eastern Avenue, Front Street East and Mill Street, shown as Parts 1 to 9, inclusive, on Sketch No. PS-2006-002 (collectively the ‘Highways’) be permanently closed as public highways;***
- (2) notice be given to the public of a proposed by-law to permanently close the Highways, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, and, in addition, by publishing one notice of the proposed by-law in a local community newspaper, at the cost of the Tenant, and the Toronto and East York Community Council hear any member of the public who wishes to speak to the matter;***
- (3) following the closure of the Highways, easements be granted as required to Bell Canada, Toronto Hydro, Enbridge Consumers Gas, Rogers Cable and any other utility companies as may be required, for access, operation, use, inspection, repair, maintenance, reconstruction or alteration of the existing services, and for the construction of additional or new services, or, with the consent of the affected utility companies, the services be removed from the Highways at the sole cost of the Tenant;***

- (4) *the Highways be declared surplus to the City's requirements and all steps necessary to comply with the City's real estate disposal process as set out in Chapter 213 of the City of Toronto Municipal Code be taken;*
 - (5) *the Chief Corporate Officer be authorized:*
 - (a) *to negotiate with TWRC, ORC, the Province and/or TRCA for the possible disposal of parts of the Highways designated as Parts 1 to 5, inclusive and 7 to 9, inclusive, on Sketch No. PS-2006-002 (the 'Project Highways'), on the understanding that there is a possibility that title may be conveyed directly to one or more private developers, to be selected in the future; and*
 - (b) *to invite an offer to purchase the portion of the Highways designated as Part 6 on Sketch No. PS-2006-002 (the 'Remnant Highway') from Canadian National Railway Company ('CN');*
 - (6) *authority be granted for the City to lease the Project Highways, once closed, four parcels of City-owned property located west of Bayview Avenue between the Eastern Avenue Diversion and the CNR/GO railway track, shown as Parts 2 to 5, inclusive, on Sketch No. PS-2006-004 (the 'Bayview Properties') and the City-owned property known municipally as 33 St. Lawrence Street, shown as Part 1 on Sketch No. PS-2006-004, to the Tenant, for nominal rent, on the terms and conditions set out in Appendix 'A' of this report, such lease agreement to be in a form satisfactory to the City Solicitor;*
 - (7) *the Chief Corporate Officer be authorized to administer and manage the lease agreement, including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction; and*
 - (8) *the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in City Council of any bills necessary to give effect thereto."*
-

Council also considered the following:

- Report (January 30, 2006) from the General Manager, Transportation Services, and the Chief Corporate Officer.

J(28) Request to Transport Canada to Require Side Guards on Large Vehicles to Protect Cyclists

Moved by Councillor Mihevc, seconded by Councillor De Baeremaeker

“**WHEREAS** the City of Toronto Official Plan (2002) promotes development that supports cycling in Toronto as an alternative to car-based transportation and as a key to environmental sustainability and an accessible and efficient transportation system; and

WHEREAS the Regional Coroner for Toronto’s report on Cycling Fatalities in Toronto (1998) found that the large vehicles (Classes A, B, C, D and M) were involved in 37 percent of the collisions resulting in cyclist fatalities; and

WHEREAS the same report found that a cyclist’s collision with a large vehicle is approximately four times more likely to result in cyclist fatality than a cyclist’s collision with a Class G vehicle; and

WHEREAS a key recommendation of the Regional Coroner for Toronto’s Report on Cycling Fatalities in Toronto (1998) was: ‘That Transport Canada investigates the feasibility of requiring “side guards” for large trucks, trailers and buses operated in urban areas to prevent pedestrians and cyclists being run over by the rear wheels in collisions with these large vehicles.’; and

WHEREAS in 2001, Transport Canada indicated that they were in the process of reviewing the possibility of requiring side guards for large trucks;

NOW THEREFORE BE IT RESOLVED THAT the Mayor and Council make an official request to Transport Canada to expedite and complete the review of side guards;

AND BE IT FURTHER RESOLVED THAT the Mayor and Council support a regulation requiring the addition of side guards for large trucks operating within urban areas and request that Transport Canada produce and implement such a regulation as soon as possible.”

Disposition:

City Council on January 31, February 1 and 2, 2006, referred this Motion to the Planning and Transportation Committee.

J(29) Security/Safety Protocols for City of Toronto Recreation Facilities

Moved by Councillor Thompson, seconded by Councillor Carroll

“**WHEREAS** this past year was one of the most violent in the history of the City of Toronto; and

WHEREAS the attitude of resolving disputes through violence has spread to our schools and recreation facilities in some areas of the City; and

WHEREAS the Toronto District School Board has established safety and security protocols to deal with violent incidents, to ensure the safety of students and staff; and

WHEREAS the safety of our staff and community members using our recreation facilities must be a priority;

NOW THEREFORE BE IT RESOLVED THAT the General Manager, Parks, Forestry and Recreation report to the next meeting of Economic Development and Parks Committee on safety and security protocols currently in place and any opportunities for enhancement, ensuring that these protocols are communicated across the City of Toronto.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

J(30) 799, 803, 803R, 807 and 809 Broadview Avenue and 21R Pretoria Avenue - Official Plan Amendment, Zoning By-law Amendment and Site Plan Appeals to the Ontario Municipal Board

Moved by Councillor Ootes, seconded by Councillor Holyday

“**WHEREAS** the owner of 799, 803, 803R, 807 and 809 Broadview Avenue and 21R Pretoria Avenue (the ‘Subject Lands’) submitted applications on September 14, 2004, and in January 2005, for an Official Plan Amendment, Zoning By-law Amendment and Site Plan approval (the ‘Applications’) for five mixed-use commercial/residential units fronting on Broadview Avenue and ten residential units to the rear, and three laneway houses on the east side of the public lane off Pretoria Avenue; and

WHEREAS before the City of Toronto (the ‘City’) could fully review the Applications, the owner appealed the City’s refusal to deal with the Applications to the Ontario Municipal Board (the ‘OMB’) on August 25, 2005; and

WHEREAS at its meeting of December 5, 6 and 7, 2005, City Council adopted the recommendations in the Recommendations Section of the Staff Directions Report (October 31, 2005), refused the Applications in their present form and authorized the City Solicitor and appropriate City staff to attend at the OMB hearing to oppose the Applications in their current form; and

WHEREAS the OMB has scheduled a hearing in this matter commencing February 7, 2006; and

WHEREAS the owner has amended its Applications, as well as supplied more information regarding the Applications, so that staff could better evaluate the Applications; and

WHEREAS it would be appropriate that City staff be authorized to attend at the OMB hearing in support of the Applications, provided that the servicing of the Subject Lands is acceptable to and is approved by City staff, but that the Applications be opposed with respect to the laneway houses on the east side of the public lane;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the staff recommendations contained in the Recommendations Section of the attached confidential report (January 26, 2006) from the City Solicitor.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(30), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report (January 26, 2006) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report and Attachment 1 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 pertaining to litigation or potential litigation:

“It is recommended that:

- (1) the Zoning By-law Amendment Application, as amended, for five mixed-use units fronting on Broadview Avenue and ten residential units to the rear thereof at 799, 803, 803R, 807 and 809 Broadview Avenue with below grade parking, be approved in principle, but that the Application for the laneway houses on the east side of the laneway off Pretoria Avenue at 21R Pretoria Avenue, not be approved in principle;***

- (2) *the Site Plan Approval Application, as amended, for five mixed-use units fronting on Broadview Avenue and ten residential units to the rear thereof at 799, 803, 803R, 807 and 809 Broadview Avenue with below grade parking, be approved in principle with the conditions of Site Plan Approval to be satisfactory to the Director of Community Planning, Toronto and East York District but that the Application for the laneway houses on the east side of the laneway off Pretoria Avenue at 21R Pretoria Avenue, not be approved in principle;*
- (3) *approval for the Applications for Zoning By-law Amendment and Site Plan Approval be conditional on City Divisions accepting and approving the servicing proposal of the owner for the Subject Lands;*
- (4) *City Staff be authorized to appear at the Ontario Municipal Board hearing commencing February 7, 2006, in support of Recommendations (1), (2) and (3) above, and be directed to take the necessary action to give effect thereto.”*

Council also considered the following:

- Confidential report (January 26, 2006) from the City Solicitor [Confidential Communication C.22(a)]. The above-noted staff 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 pertaining to litigation or potential litigation.

Attachment 1 to the confidential report (January 26, 2006) from the City Solicitor, Toronto and East York Community Council Report 9, Clause 14, headed “Request for Direction Report - Official Plan Amendment and Rezoning Application – 799, 803, 803R, 807 and 809 Broadview Avenue and 21R Pretoria Avenue (Ward 29 - Toronto-Danforth)”, adopted, without amendment, by City Council on December 5, 6 and 7, 2005, is on file in the City Clerk’s Office.

J(31) Opposition to Application for Liquor Licence – Cassidy’s Bar – 2856 Danforth Avenue

Moved by Councillor Davis, seconded by Councillor Rae

“**WHEREAS** the operators of Cassidy’s Bar at 2856 Danforth Avenue have submitted an application to the Alcohol and Gaming Commission of Ontario to allow liquor to be served on a 72-seat backyard patio; and

WHEREAS local residents have expressed concerns that the establishment of a backyard patio at Cassidy's Bar would result in excessive noise and disruption to the residents of neighbouring properties on Coleman Avenue; and

WHEREAS, based on proximity of the proposed backyard patio to existing residential properties on Coleman Avenue and the concerns raised by local residents, granting a liquor licence for this proposed backyard patio would not be in the public interest; and

WHEREAS local residents are not opposed to the granting of a liquor licence for the interior and front patio of Cassidy's Bar;

NOW THEREFORE BE IT RESOLVED THAT City Council request the City Solicitor and any appropriate City staff to attend any anticipated Alcohol and Gaming Commission Liquor Licence Application Hearing in opposition to the granting of a liquor licence for the proposed backyard patio.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

Deputy Mayor Bussin declared an interest in this Motion, in that her parents own property in the subject area.

J(32) Appointments to Vacancies on Various Committees and Special Purpose Bodies

Moved by Deputy Mayor Pantalone, seconded by Councillor Soknacki

“**WHEREAS** Bas Balkissoon was elected to the Ontario Legislature effective December 3, 2005, and Council declared the Ward 41, Scarborough Rouge River, seat vacant on December 5, 6 and 7, 2005; and

WHEREAS Olivia Chow was elected to the House of Parliament on January 23, 2006, and Council declared the Ward 20, Trinity Spadina, seat vacant and Council declared the office vacant at its meeting on December 5, 6 and 7, 2005; and

WHEREAS Council must appoint Members to various boards and committees to replace the former Councillors; and

WHEREAS Council, at its Special Meeting held on January 31, 2006, appointed Martin Silva as Councillor, Ward 20, and Paul Ainslie as Councillor, Ward 41;

WHEREAS Councillor Davis has expressed an interest in being appointed to the Community Services Committee, given the current vacancy on that Committee from the resignation of Olivia Chow, in place of her current appointment to the Administration Committee, and Councillor Silva is agreeable to being appointed to the Administration Committee;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Striking Committee Report 2, Clause 1, headed ‘Appointment of Members of Council as Deputy Mayor, to Standing and Other Committees of Council and to City and External Agencies, Boards, Commissions and Corporations for the Second Half of Council’s Term’, be re-opened for further consideration, only as it pertains to the membership of the Administration Committee;

AND BE IT FURTHER RESOLVED THAT the relevant portions of City of Toronto Municipal Code Chapter 27, Council Procedures, be waived to permit the appointment of Councillors Ainslie and Silva to various Standing and local committees and boards without advising all Members of the vacancy and permitting them to submit names for consideration, and without referral to the Striking Committee;

AND BE IT FURTHER RESOLVED THAT Councillor Ainslie, Ward 41, be appointed to the following Standing Committees and agency for a term of office ending November 30, 2006, and until a successor is appointed:

Audit Committee
Works Committee, and
Toronto and Region Conservation Authority;

AND BE IT FURTHER RESOLVED THAT Councillor Davis be appointed to the following Standing Committee for a term of office ending November 30, 2006, and until a successor is appointed:

Community Services Committee;

AND BE IT FURTHER RESOLVED THAT Councillor Silva, Ward 20, be appointed to the following Standing and local committees and boards for a term of office ending November 30, 2006, and until a successor is appointed:

Administration Committee
Board of Health
Art Gallery of Ontario Board of Trustees
Children, Education and Youth Roundtable
Bloor Annex Business Improvement Area Board of Management
Cecil Street Community Centre Board of Management
Food and Hunger Action Committee

Harbord Street Business Improvement Area Board of Management
Harbourfront Community Centre Board of Management
Harbourfront Centre Board of Directors
Homes First Society Board of Directors
Korea Town Business Improvement Area Board of Management
Mirvish Village Business Improvement Area Board of Management
Queens Quay Business Improvement Area Board of Management
Scadding Court Community Centre Committee of Management
Toronto City Centre Airport Community Advisory Committee
Toronto Community Housing Corporation and Toronto Housing Company
Inc. (which exists for legal purposes with the same members as TCHC)
Toronto Foundation for Student Success;
University Settlement Community Centre Building Committee of
Management
William H. Bolton Arena Committee of Management;

AND BE IT FURTHER RESOLVED THAT, under City of Toronto Municipal Code Chapter 27, Council Procedures, Bas Balkissoon's positions on the Deposit Return System Working Group and the Source Separated Organics Sub-Committee be referred to the Works Committee for appointment;

AND BE IT FURTHER RESOLVED THAT Council take no action to replace Bas Balkissoon's position on the 3-1-1 Council-Staff Working Group at this time, in light of the expanded composition recommendations from the Administration Committee which is before Council for consideration at this meeting."

Disposition:

City Council on January 31, February 1 and 2, 2006, re-opened Striking Committee Report 2, Clause 1, headed "Appointment of Members of Council as Deputy Mayor, to Standing and Other Committees of Council and to City and External Agencies, Boards, Commissions and Corporations for the Second Half of Council's Term", for further consideration, only as it pertains to the membership of the Administration Committee, and adopted the balance of this Motion, without amendment.

J(33) Official Plan Amendment and Zoning By-law Amendment - 2575 and 2625 Danforth Avenue - Section 37 Agreement (Ward 32 - Beaches-East York)

Moved by Deputy Mayor Bussin, seconded by Councillor Rae

"WHEREAS at its meeting of November 30, December 1 and 2, 2004, City Council adopted the recommendations set out in the reports (November 1, 2004, and November 15, 2004) from the Director, Community Planning, South District (Toronto and East York), respecting an application to amend the Official Plan and Zoning By-law for the properties known municipally as 2575 and 2625 Danforth Avenue, to permit the construction of two additional mixed use buildings; and

WHEREAS there have been some proposed revisions and modifications to the approvals granted by City Council since its meeting of November 30, December 1 and 2, 2004; and

WHEREAS it would be appropriate for City Council to make the necessary revisions and modifications to the approvals at this time;

NOW THEREFORE BE IT RESOLVED THAT City Council consider and adopt the staff recommendations contained in the Recommendations Section of the attached report (January 30, 2006) from the City Solicitor.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(33), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (January 30, 2006) from the City Solicitor:

“It is recommended that:

- (1) ***Recommendation (1)(a) of Clause 6 of Toronto and East York Community Council Report 9, which was considered and amended by City Council on November 30, December 1 and 2, 2004, be further amended by adding subclause (1)(a)(ii) to read as follows:***

‘(1)(a)(ii) delete Recommendations (2)(b)(ii) and (3)(ii)(j)(ii) and replace them with the following:

maintain the 1,123 existing rental units for a minimum period of 20 years commencing from the date of Final Approval of the Amending By-laws, making no application for condominium registration or for demolition to construct anything other than rental units;’;

- (2) ***Recommendation (1) of Clause 6 of Toronto and East York Community Council Report 9, which was considered and amended by City Council on November 30, December 1 and 2, 2004, be further amended by adding clause (c) to read as follows:***

‘(1)(c) delete Recommendation (4) and replace it with the following:

before introducing the necessary Bills to Council for enactment, require the owner to execute a Section 37 Agreement;’ and

- (3) *Recommendation (3)(c), of Clause 6 of Toronto and East York Community Council Report 9, which was considered by City Council on November 30, December 1 and 2, 2004, be deleted.”*

Council also considered the following:

- Report (January 30, 2006) from the City Solicitor.

J(34) Personnel Matter Respecting the City Solicitor

Moved by Mayor Miller, seconded by Deputy Mayor Pantalone

“**WHEREAS** the current fixed term employment contract for the City Solicitor ends on March 17, 2007; and

WHEREAS the Employer is required to notify the Employee at least 12 months prior to the end of the Term (i.e., March 17, 2006) concerning continuation of the employment relationship; and

WHEREAS the incumbent has indicated an interest in ongoing employment with the City;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached confidential report (February 2, 2006) from Mayor Miller with respect to a personnel matter pertaining to the City Solicitor, and that Council adopt the recommendation contained in the Recommendation Section of the confidential report.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

In adopting Motion J(34), without amendment, Council adopted, without amendment, the recommendation contained in the Recommendation Section of the confidential report (February 2, 2006) from Mayor Miller. 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 personal information about an identifiable individual:

“It is recommended that the employment of Anna Kinastowski in the position of City Solicitor be continued beyond the end of the current employment contract, with compensation to continue in the current range, subject to terms and conditions to be negotiated consistent with the new form of employment agreement.”

Council also considered the following:

- Confidential report (January 2, 2006) from Mayor Miller [Confidential Communication C.23(a)]. The above-noted 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 personal information about an identifiable individual.

J(35) 21 Cameron Avenue – Designation of a Property under Part IV of the Ontario Heritage Act – Ward 23 (Willowdale)

Moved by Councillor Filion, seconded by Councillor Moscoe

“WHEREAS the City of North York Council added the property located at 21 Cameron Avenue to the Inventory of Heritage Properties, in 1988; and

WHEREAS the house on this property was purchased in the 1920’s by prominent Group of Seven founder and artist Franklin Carmichael and was his home and studio until 1945; and

WHEREAS this property is a good example of the bungalow style popular during the time of the conversion of the hamlet of Lansing from a rural community to a suburb; and

WHEREAS the Toronto Official Plan states that heritage resources or properties listed on the City’s Inventory of Heritage Properties will be conserved; and

WHEREAS City staff has received enquiries about redevelopment of this property; and

WHEREAS designation of the property would allow Council to control alterations to and/or the demolition of this property; and

WHEREAS the property meets the criteria recently issued by the Province of Ontario under the *Ontario Heritage Act* for designation, on the basis of its historical and design value;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto state its intention to designate the property at 21 Cameron Avenue under Part IV of the *Ontario Heritage Act* for architectural and historical reasons, and that notice be provided to the owner after consultation with the Toronto Preservation Board, as provided for in the *Ontario Heritage Act*;

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 January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

J(36) Realignment of the Pape Avenue/Riverdale Avenue Intersection to Facilitate Pedestrian Movements

Moved by Councillor Fletcher, seconded by Councillor Carroll

“**WHEREAS** at its meeting of September 14, 2005, the Works Committee, in considering the feasibility of reconnecting Pape Avenue across the CN Rail corridor north of Gerrard Street East, requested the General Manager, Transportation Services, to provide detailed options for pedestrian safety at Pape Avenue and Riverdale Avenue and Riverdale Avenue and Carlaw Avenue (Works Committee Report 8, Clause 14(g), considered by City Council September 28, 29 and 30, 2005); and

WHEREAS the discontinuity in Pape Avenue results in a jog configuration requiring a considerable volume of motor vehicles to divert from Pape Avenue to Carlaw Avenue via Riverdale Avenue and vice versa; and

WHEREAS the resulting configuration of the Pape Avenue/Riverdale Avenue intersection is characterized by off-set and variable width approaches, as well as wider pedestrian crossings; and

WHEREAS residents have expressed concern with the safety of pedestrians, especially school-aged children, at the intersection of Pape Avenue and Riverdale Avenue; and

WHEREAS my office, Transportation Services staff and community representatives have met to develop a plan that would address the safety concerns of residents and further, Transportation Services has prepared a functional plan of the proposal; and

WHEREAS staff have advised that the estimated cost for this project would be \$100,000.00 and would be included in the Safety and Operational Improvement Program, subject to competing priorities and funding in the approved Transportation Services Division 2006 Capital Budget;

NOW THEREFORE BE IT RESOLVED THAT a by-law be enacted for the alteration of Pape Avenue and Riverdale Avenue, generally as shown in the attached Drawing No. 421F-8188, dated January 2006, subject to further refinements as may be necessary as the design process proceeds, and as described below:

‘narrowing the travelled portion of Riverdale Avenue and Pape Avenue by extending the curb on the northeast, northwest and southwest corners of the intersection’,

and the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

Council also considered the following:

- Drawing No. 421F-8188 (January 2006), entitled “Intersection of Pape Avenue and Riverdale Avenue, Proposed Roadway Narrowing”.

J(37) Re-opening of Effective Date for Harmonized Permit Rates

Moved by Councillor Kelly, seconded by Councillor Cho

“**WHEREAS** City Council on December 14 and 16, 2005, adopted, as amended, Motion F(1), and in so doing, delayed the implementation of the harmonized permit rates for six months so that the new rates would take effect on May 1, 2006, instead of January 1, 2006; and

WHEREAS community groups from the former municipalities of Scarborough, Etobicoke and East York are negatively affected by the changes in the implementation date from January 1, 2006, to May 1, 2006; and

WHEREAS they were only given approximately five days notice; and

WHEREAS these community groups did not incorporate the continued permit fees into their budgets and they have been negatively impacted by the unanticipated cost for use of space in City facilities;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion F(1), headed 'Harmonized Permit Rates (All Wards)', be re-opened for further consideration, as it pertains to the implementation date for the harmonized permit rates;

AND BE IT FURTHER RESOLVED THAT the harmonized permit rates take effect on March 1, 2006, instead of May 1, 2006."

Disposition:

Notice of this Motion was given to permit consideration at the special meeting of City Council on February 14, 2006.

J(38) Development of an Energy Plan

Moved by Councillor Fletcher, seconded by Councillor Shiner

"WHEREAS the City of Toronto's leadership position respecting energy efficiency and conservation is well known locally, nationally and internationally, as recognized by Business Week when the City received the Low Carbon Leader 2005 award from the Climate Group; and

WHEREAS since amalgamation, the City of Toronto has not updated its energy sustainability plan that identifies Toronto's future energy needs, for the short-, medium- and long-term, in a comprehensive fashion;

NOW THEREFORE BE IT RESOLVED THAT City Council request the Deputy City Manager and Chief Financial Officer to report to the February 20, 2006 meeting of the Roundtable on the Environment on a draft terms of reference for a comprehensive Energy Plan for Toronto;

AND BE IT FURTHER RESOLVED THAT the draft terms of reference be developed in consultation with Toronto Hydro Corporation, Enwave Energy Corporation, the Toronto Atmospheric Fund and the Energy Efficiency Office."

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion, without amendment.

Condolence Motions

(1) **Moved by:** Mayor Miller

Seconded by: Councillor Hall

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the tragic death of 11 year old Holli-Lyne Toulouse; and

WHEREAS Holli-Lyne was a member of the Elms Junior Middle School Love Committee; and

WHEREAS Holli-Lyne will be missed by her friends and teachers at the Elms Junior Middle School;

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 the entire Toulouse family, especially parents Debra and Allan and brother Zach, on their heartbreaking loss.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion unanimously.

(2) **Moved by:** Councillor Shiner

Seconded by: Deputy Mayor Feldman

“**WHEREAS** the Members of Toronto City Council are deeply saddened to learn of the passing of George E. Penfold, former Alderman, Ward 10 Don Mills, for the former City of North York, who served for two terms from the years 1973 to 1976; and

WHEREAS George E. Penfold was the beloved husband of the late Jane Elizabeth Goerner, the caring, loving father of Heather, Mary Jane, Michael and Judy, and the proud grandfather of eight grandchildren; and

WHEREAS George E. Penfold, served his country well. In World War Two, he was a Flight Lieutenant Navigator for the R.C.A.F. 435 Transport Squadron and he continued to play an active role in the R.C.A.F. for many years as President of the 408-437 Toronto York, Wing and National President of the R.C.A.F. Association. Mr. Penfold was a life member of the R.C.A.F., the Burma Star Association and the Royal Canadian Legion; and

WHEREAS Alderman George E. Penfold was a trusted friend and colleague of Members of Council and was someone whom you could always depend upon for an honest answer; and

WHEREAS George E. Penfold will be remembered by all for his wonderful sense of humor, his compassionate and friendly manner and for his dedication to the people that he served;

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 children Heather, Mary Jane, Michael and Judy and their families.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion unanimously.

(3) **Moved by:** Councillor Moscoe

Seconded by: Councillor Filion

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mae Waese on January 4, 2006; and

WHEREAS Mae Waese served the residents of North York as Trustee for Ward 7, from 1978 to 1986, and Chair of the Board, from 1983 to 1986; and

WHEREAS Mae Waese served the residents of Toronto as Chair of the Metropolitan Toronto School Board from 1988 to 1992; and

WHEREAS during her long career as a Trustee, and in her life long association and commitment to education, she spearheaded the introduction of French into the public school system and introduced alternative education to public schools; and

WHEREAS Mae Waese was doggedly determined to ensure that the public school system included opportunities for all children to learn; and

WHEREAS Mae Waese served actively within the Jewish community and was active on the National Council of Jewish Women, both as the Chair of the Suburban Study Branch and as a member of the Executive, both locally and nationally; and

WHEREAS Mae Waese’s passion for natural justice and community service led her to active membership on the Urban Alliance on Race Relations, The Canadian Jewish Congress and the North York Library Board, Board of Governors of the Ontario Institute for Studies in Education, and the Ontario Medical Association; and

WHEREAS among the many awards she was given, in 1999 she received the Dr. Harry Paikin Memorial Award from the Ontario Public School Trustees' Association recognizing her outstanding contribution to education in Ontario;

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 her husband Lou, her children and grandchildren and extended family, and express our gratitude for the contribution she made to the Toronto Community.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion unanimously.

(4) **Moved by:** Councillor Li Preti

Seconded by: Councillor Palacio

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Mr. Remberto Navia on January 22, 2006; and

WHEREAS Remberto Navia was born in Ecuador in 1942 and immigrated to Canada in 1973, to make a better life for his loving family; and

WHEREAS Remberto Navia was the founder and director of the Driftwood Community Soccer League for 26 years where he worked with hundreds of children to teach them sports, and more importantly, how to better themselves in life; and

WHEREAS Remberto Navia was the founder of and mentor to the Canadian Hispanic Day Parade, which has attracted thousands of Toronto residents to celebrate the best in Hispanic culture since 1986; and

WHEREAS Remberto Navia was a positive force in the Jane and Finch community and encouraged the best in our City's youth through his wisdom, generous spirit, and great love of life;

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 the family of Mr. Remberto Navia, his wife Gelma Lopez and his children Ivan, Mary, Carlos, Patricia, David and Liliana.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion unanimously.

(5) **Moved by: Mayor Miller**

Seconded by: Councillor Thompson

“**WHEREAS** Toronto City Council is deeply saddened to learn of the passing of Mrs. Coretta Scott King; and

WHEREAS Coretta Scott King came to the world’s attention as the wife of Dr. Martin Luther King, whose cause of civil rights and non-violence she passionately supported. She marched beside him on many occasions and remained a beacon for equity after his death in 1968; and

WHEREAS Mrs. King gave more than 30 ‘Freedom Concerts’, where she lectured, read poetry and sang to raise awareness of and money for the civil rights movement; and

WHEREAS following the assassination of her husband, Mrs. King channelled her energies into raising her family and continuing her husband’s work; and

WHEREAS in 1974, she formed the Full Employment Action Council, a broad coalition of over 100 religious, labour, business, civil and women’s rights organizations dedicated to a national policy of full employment and equal economic opportunity and served as its Co-Chair; and

WHEREAS in 1981, Coretta Scott King founded the Martin Luther King Jr. Center for Non-Violent Social Change in Atlanta, as a living memorial to her husband’s life and dream; and

WHEREAS the King Center Library and Archives houses the largest collection of documents from the Civil Rights era, receives over one million visitors a years, and has trained tens of thousands of students, teachers, community leaders and administrators in Dr. King’s philosophy and strategy of non-violence; and

WHEREAS Coretta Scott King led a successful campaign to establish Dr. King’s birthday, January 15, as a national holiday in the United States and by Act of Congress, the first national observance of the holiday took place in 1986; and

WHEREAS Coretta Scott King championed a list of social and political issues ranging from women’s rights, to the struggle against South African apartheid, to AIDS awareness to curbing gun violence;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to the King family and to the Martin Luther King Jr. Center for Non-Violent Social Change.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion unanimously.

(6) **Moved by: Councillor McConnell**

Seconded by: Councillor Moscoe

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the sudden passing of Regina City Councillor Mike Badham in his 64th year on January 23, 2006; and

WHEREAS Councillor Badham served the residents of Regina as a teacher and principal before serving at Council for 15 years; and

WHEREAS Councillor Badham also served as the President of the Saskatchewan Urban Municipal Association (SUMA) for six years beginning in 1997, and the Board of Directors and Executive Committee of the Federation of Canadian Municipalities (FCM) since 1997; and

WHEREAS Councillor Badham was a key founder of the FCM’s National InfraGuide Network and worked internationally to promote strong local governments in Africa and Asia; and

WHEREAS Councillor Badham was the 2005 recipient of FCM’s Outstanding International Volunteer Contribution Award for his on-going work on municipal-international co-operation initiatives; and

WHEREAS Members of Toronto City Council were honoured to work with Councillor Badham on the national scene to promote the national municipal agenda;

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 family and to Regina City Council and express our gratitude for the contribution that he provided to residents in Regina and also, nationally and internationally, through his commitment to democracy in local government.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion unanimously.

(7) **Moved by: Deputy Mayor Feldman**

Seconded by: Councillor Moscoe

“**WHEREAS** the Members of Toronto City Council is deeply saddened to learn of the passing of Mr. Sam Ruth on January 27, 2006; and

WHEREAS Sam Ruth dedicated his life to enriching the lives of our elderly; and

WHEREAS Sam Ruth was Chair of Homes for the Aged for Metropolitan Toronto, Vice-Chair of the Metropolitan Toronto Housing Company Limited, and was a member of many task forces for Housing for those in need; and

WHEREAS Mr. Ruth was the Chief Executive Officer for Baycrest and founding president of the Baycrest Foundation, and was deeply proud of his role in developing a continuum of care for the elderly that has become a model for long-term care centres around the world; and

WHEREAS when a delegation from Toronto went to Philadelphia to visit a seniors care facility, caregivers there were surprised because it was ‘they’ who always came to Baycrest in Toronto to see how things should be done, because of Sam Ruth; and

WHEREAS Sam worked tirelessly to educate others on geriatric care;

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 Nancy and all surviving members of the Ruth family.”

Disposition:

City Council on January 31, February 1 and 2, 2006, adopted this Motion unanimously.

Issued: February 8, 2006

Attachment: Revised Membership of Committees of City Council