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**TORONTO CITY COUNCIL DECISION DOCUMENT**  
**MEETING ON APRIL 25, 26 AND 27, 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:****Works Committee Report 1****5a Scarlett Road/CP Rail Bridge Class Environmental Assessment Study (York South-Weston and Parkdale-High Park)**

City Council on April 25, 26 and 27, 2006, amended this Clause in accordance with the following Motion:

**“WHEREAS** it is fiscally prudent when undertaking major infrastructure works to protect for reasonably foreseeable future needs so that future costs and disruption of public services are minimized; and

**WHEREAS** it was recognized in the Scarlett Road/CP Rail Bridge Class Environmental Assessment Study that any new bridge should be designed to protect for a potential future streetcar service; and

**WHEREAS** protection for an exclusive transit right-of-way was not included in the bridge design as shown in the Environmental Study Report (ESR) due to concerns regarding significantly higher construction costs and impacts on private property; and

**WHEREAS** TTC and Transportation Services staff have developed a new bridge design concept that incorporates protection for a future transit right-of-way, as shown on Figure No. 1, whose costs and property requirements are similar to those of the bridge design in the ESR;

**NOW THEREFORE BE IT RESOLVED THAT** Council’s adoption of the Recommendations of the Works Committee contained in Works Committee Report 1, Clause 5a, be made conditional upon the amendment of the design for the replacement of the Scarlett Road/CP Rail Bridge to protect for an exclusive transit right-of-way as shown on Figure No. 1;

**AND BE IT FURTHER RESOLVED THAT** authority be granted to the General Manager of Transportation Services to retain Totten Sims Hubicki Associates, being the engineering firm that prepared the ESR, to prepare detailed plans for the amended bridge design, at a cost not to exceed \$75,000.00;

**AND BE IT FURTHER RESOLVED THAT** should it be determined that the amended bridge design presents technical or cost issues not foreseen in the preliminary engineering work done to date, the General Manager of Transportation Services report back to the Works Committee on his findings and recommendations prior to taking any further action with respect to the Scarlett Road/CP Rail Bridge.”

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

[Figure No. 1, headed “Amended Scarlett Road/CP Rail Bridge Design”, referred to above, will be appended to this Clause.]

### **Policy and Finance Committee Report 1**

#### **10b Toronto Computer Leasing Inquiry and Toronto External Contracts Inquiry Final Status Report**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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

City Council on April 25, 26 and 27, 2006, amended this Clause by amending Recommendation (1) of the Policy and Finance Committee so that it now reads as follows:

- “(1) statutory public meetings be held at the York Civic Centre at the call of the Community Council Chair, in consultation with the local Councillor, only if the nature of the agenda deems it appropriate, and that the cost be absorbed by the City Clerk’s Office; and”.

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

#### **14b Pandemic Influenza Plan for the City of Toronto**

City Council on April 25, 26 and 27, 2006, amended this Clause by adding the following:

“That the Medical Officer of Health be requested to:

- (1) report to City Council, through the Board of Health, on the ability of Glaxo Kline Smith to secure the vaccine production capability needed for the City of Toronto; and
- (2) communicate the Web site for Health Canada information, which is [www.pandemicinfluenza.gc.ca](http://www.pandemicinfluenza.gc.ca).”

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

**Works Committee Report 1****11b Distribution of City of Toronto Tap Water – Toronto Pure**

City Council on April 25, 26 and 27, 2006, amended this Clause by deleting the Operative Paragraph contained in the Motion, moved by Councillor Moscoe, seconded by Councillor Carroll, and inserting instead the following:

**“NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto encourage the distribution of City of Toronto tap water in any City facility or the facilities of its agencies, boards and commissions, and discourage the distribution of commercially bottled water where practical.”

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

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Councillor Shiner declared an interest in this Clause, as it relates to a motion moved by Councillor Ford, in that a member of his family is a seasonal employee with the City of Toronto.

**Etobicoke York Community Council Report 1****3b Removal of One Privately Owned Tree - 65 Avonhurst Road (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, amended this Clause by deleting the Recommendation of the Etobicoke York Community Council, and adopting instead the staff recommendations contained in the Recommendations Section of the report (October 17, 2005) from the General Manager, Parks, Forestry and Recreation [as contained in the Clause].

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

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

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**Etobicoke York Community Council Report 2****3a Removal of One Privately Owned Tree - 37 Benway Drive (Ward 2 - Etobicoke North)**

City Council on April 25, 26 and 27, 2006, amended this Clause by deleting the Recommendation of the Etobicoke York Community Council, and adopting instead the staff recommendations contained in the Recommendations Section of the report (November 17, 2005) from the General Manager, Parks, Forestry and Recreation [as contained in the Clause].

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

**5a Removal of One Privately Owned Tree - 64 Harding Avenue (Ward 12 - York South-Weston)**

City Council on April 25, 26 and 27, 2006, amended this Clause by deleting the Recommendation of the Etobicoke York Community Council, and adopting instead the staff recommendations contained in the Recommendations Section of the report (December 9, 2005) from the General Manager, Parks, Forestry and Recreation [as contained in the Clause].

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

**8a Proposed Installation of School Bus Loading Zone on Renault Crescent and Proposed Left-Turn Prohibition from the Driveway of All Saints Catholic School onto Royal York Road (Ward 2 - Etobicoke North) and (Ward 4 - Etobicoke Centre)**

City Council on April 25, 26 and 27, 2006, amended this Clause by amending the staff recommendations contained in the report (January 19, 2006) from the Director, Transportation Services, Etobicoke York District, by:

- (1) deleting Recommendation (1); and
- (2) adding to Recommendation (2), the words “buses excepted” after the words “Monday to Friday”, so that Recommendation (2) now reads as follows:

“(2) westbound left turns be prohibited between 8:00 a.m. and 9:00 a.m., 3:00 p.m. and 4:00 p.m., Monday to Friday, buses excepted, at the intersection of Royal York Road and the driveway to 1435 Royal York Road, 107.0 metres south of Renault Crescent; and”.

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

**North York Community Council Report 2**

**21a Final Report - Application for Partial Removal of the Holding (H) Symbol 05 130946 NNY 25 OZ - Sunnybrook and Women’s College Health Sciences Centre – G+G Partnership Architects – 2075 Bayview Avenue (Ward 25 - Don Valley West)**

City Council on April 25, 26 and 27, 2006, amended this Clause by adding the following:

“That the Chief Planner and Executive Director, City Planning, be requested to convene a meeting to include Councillors Jenkins, Silva and Moscoe, with the University of Toronto, to resolve the issue of the land for the Fire Station on Bayview Avenue and report to Council through the Planning and Transportation Committee.”

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

### **Toronto and East York Community Council Report 2**

#### **41a Evaluation for the Installation of Speed Humps - Winnifred Avenue, Caroline Avenue and Berkshire Avenue, between Eastern Avenue and Queen Street East (Ward 30 - Toronto-Danforth)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

#### **48a Relocation of Parking from the North Side to the South Side of the Street During Winter Months - MacPherson Avenue, between Avenue Road and Yonge Street (Ward 27 - Toronto Centre-Rosedale)**

City Council on April 25, 26 and 27, 2006, received this Clause.

### **New Reports:**

#### **Policy and Finance Committee Report 3**

##### **1 Amendments to Integrity Commissioner’s Complaint Protocol Respecting Trivial and Unmeritorious Complaints**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

##### **2 Toronto Youth Strategy 2006 Implementation Priorities and Terms of Reference for the Youth Strategy Panel**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

Council also adopted the following procedural motion:

“That all motions moved at the April 25, 26 and 27, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved.”

Motion moved by Councillor Carroll for consideration on May 23, 2006:

“That:

- (1) wherever feasible, committees of City agencies, boards and commissions have youth representatives appointed to such committees in an internship or advisory capacity; and
- (2) the committees be resourced to support these youth according to the best practices of youth engagement.”

**3 Proposed Structure, Terms of Reference and Membership for the Integrated Children’s Services Advisory Committee**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**4 Overview of Past Polling Practices and Recommendations for Future Polling Procedures**

City Council on April 25, 26 and 27, 2006, amended this Clause by deleting from Recommendation (ii)(B) of the Policy and Finance Committee, the words “those persons who requested on their ballots that they be notified of the results of the poll”, and inserting instead the words “all persons who responded to the poll”, so that Recommendation (ii)(B) now reads as follows:

“(ii) amending Sub section XXX-7 (B) to read as follows:

- ‘(B) At the end of the polling period, the City Clerk shall record all accepted ballots and shall certify, in writing, the results of the poll and provide local Councillors with a copy of the results as soon as they are available. The City Clerk will then write a letter to the requesting division indicating the results of the poll. The City Clerk shall post the results of the poll on the City of Toronto internet web site for Polling and shall notify by mail all persons who responded to the poll.’ ”

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

**5 Complaint Pursuant to Section 20 of the *Development Charges Act, 1997* - Granite Club – 2350 Bayview Avenue, Toronto**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

Councillor Pitfield declared an interest in this Clause, in that she is a member of the subject Club.

**6 City of Toronto Participation UNESCO Coalition of Cities Against Racism**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**7 Acquisition of 36 Finch Avenue West for the North York Centre Service Road (Ward 23 - Willowdale)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**8 Sale of Surplus Property - Avondale Composting and Borrow Pit Site, Located East End of Keele Street, Between Kirby Road and Teston Road (City of Vaughan)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**9 Rear Surface Flooding 220 to 244 Waverley Avenue, 79 to 91 Norway Avenue, and 233 to 241 Kenilworth Avenue, (Ward 32 - Beaches-East York)**

City Council on April 25, 26 and 27, 2006, amended this Clause by:

- (1) amending Recommendation (2) of the Policy and Finance Committee by adding the words “or other documentation considered necessary by the City Solicitor” after the words “Right of Entry and Release”, so that Recommendation (2) now reads as follows:

“(2) in the event that the City is unable to secure contribution commitments within six months from any of the benefiting property owners, or in the event that the City is unable to secure Right of Entry and Release or other documentation considered necessary by the City Solicitor, from any required property owner, the City’s offer be rescinded; and”; and;

- (2) adding the following new Recommendations (4) and (5):

“(4) the City’s share of the funding of related costs be financed from within the 2006 Toronto Water Operating Budget; and

- (5) the General Manager, Toronto Water, report as soon as possible to the Works Committee, with a policy on how to fairly respond to requests to fund drainage repairs on private property, given that Council has made some decisions in favour of financing drainage repairs on private property.”

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

**10 Drain Grant Appeal - 52 Emerald Crescent, Etobicoke (Ward 6)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**11 Procurement of Iron Salts (Ferrous Chloride) Used for Removal of Phosphorous from Sewage at the Wastewater Treatment Plants (All Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**12 How Quickly the Toronto Police Service Can Recruit and Train the 250 New Police Officers Hired Under the “Safer Communities - 1,000 Officers Partnership Program”, Locations to Which They Will Be Deployed, Associated Costs and Multicultural Diversity of the New Police Officers**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

**13 Lease Renewal for Leased Property within the Horse Palace - Exhibition Place**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**14 Memorandum of Agreement between the City of Toronto and the Toronto Professional Fire Fighters’ Association (T.P.F.F.A.), Local 3888**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (March 31, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer [Confidential Communication C.1(a)]. The following staff recommendations contained in the Recommendations Section of the report and the Memorandum of Agreement between the City of Toronto and the Toronto Professional Fire Fighters’ Association, Local 3888, attached 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 labour relations or employee negotiations:

“It is recommended that:

- (1) the attached Memorandum of Agreement between the City and T.P.F.F.A., Local 3888 be ratified by Council;
- (2) the appropriate City officials be authorized to make the necessary amendments to rates of pay and related benefits;
- (3) the Deputy City Manager and Chief Financial Officer be authorized to transfer funds from the Non-Program Budget to Program Budgets to cover the wage rate increases for each classification and number of positions within each Program; and
- (4) the appropriate City officials be authorized to make the necessary adjustments to the operating budgets of the Divisions to accommodate the above salary improvements.”

[The Memorandum of Agreement between the City of Toronto and the Toronto Professional Fire Fighters’ Association, Local 3888, will be noted at the end of the Clause.]

**15 Tax Exemption for Toronto Police Services Sites at 970 Lawrence Avenue West, 30 College Street and 2986 Lake Shore Boulevard West (Ward 15 - Eglinton-Lawrence), (Ward 27 - Toronto Centre-Rosedale) and (Ward 6 Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**16 Toronto’s 2004 Results Under the Municipal Performance Measurement Program (MPMP) Relative to other Ontario Municipalities**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**17 Bill 206 “An Act to Revise the Ontario Municipal Employees Retirement System Act” - Supplementary Report**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**18 2005 Preliminary Year-End Capital Variance Report**

City Council on April 25, 26 and 27, 2006, amended this Clause by adding the following:

“That:

- (1) the five-year capital plan be revised to reflect realistic cash flow expenditures and affordability debt levels;
- (2) Deputy City Manager, Fareed Amin, be requested to report to the Policy and Finance Committee on:
  - (1) providing staff with the flexibility to revise project funding within the appropriate funding envelope in order to re-prioritize projects; and
  - (2) how, with third party assistance, the City could maximize delivery of capital expenditures within a 12-month period; and
- (3) Deputy City Manager, Sue Corke, be directed to submit her report on Eva’s Youth Shelter project to the Administration Committee for its meeting on May 2, 2006, and further, that it be submitted to Council for consideration at its meeting on May 23, 2006.”

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

**19 Toronto Water Capital Budget: 2005 Carry-Forward Funding and 2006 Cashflow Reallocations (City-Wide)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**20 Occupational Health and Safety Report – Third Quarter, 2005**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**21 Western Beaches Breakwall (Wards 13, 14 and 19)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**22 Beach Postings in 2005 and Actions to Improve Water Quality at City Beaches (Wards 6, 13, 14, 20, 30, 32 and 44)**

City Council on April 25, 26 and 27, 2006, amended this Clause by deleting staff Recommendation (2) contained in the report (April 6, 2006) from the General Manager, Toronto Water, the General Manager, Parks, Forestry and Recreation, and the Medical Officer of Health, and inserting instead the following:

“(2)(a) Deputy City Manager, Fareed Amin, through the Waterfront Project Director and in collaboration with the General Manager, Toronto Water, the Medical Officer of Health, the General Manager, Parks, Forestry and Recreation, the Chief Planner and the Executive Director, City Planning, the General Manager, Transportation, the General Manager, Economic Development, Culture and Tourism, and other public agencies, including TTC, TWRC, and TRCA, undertake the development of an Integrated Beach Management Strategy, in consultation with the Councillors for Wards 13 and 14, affected stakeholders, including sports clubs and residents from across Toronto, for a full range of issues affecting waterfront beaches, with an initial focus on Sunnyside Beach (more accurately defined as the area between Marilyn Bell Park and the Humber River) to:

- (i) identify parks infrastructure requirements to support present and future recreational uses;
- (ii) identify other management objectives including improving aquatic habitat, repair and replacement of the breakwall, mitigation of beach erosion, protecting and enhancing pedestrian and trail development, considering compatible commercial uses, addressing transit, parking and transportation requirements and maintaining public realm requirements, improving access and connections between the waterfront and adjacent neighbourhoods, considering diverse marine uses in the protected waterway and providing land-side infrastructure to support marine uses and boat club requirements;
- (iii) assess current approaches to and levels of beach maintenance;
- (iv) review the appropriateness of existing beach designations;
- (v) recommend, where appropriate, siting of new beaches; and

- (vi) identify the necessary measures, their associated capital and operating cost implications and prepare a proposed implementation schedule, to support the implementation of the Integrated Beach Management Strategy; and
- (b) Deputy City Manager, Fareed Amin, in collaboration with the General Manager, Toronto Water, the Medical Officer of Health, the General Manager, Parks, Forestry and Recreation, the Chief Planner and Executive Director, City Planning, the General Manager, Transportation, and the General Manager, Economic Development, Culture and Tourism, report to the Policy and Finance Committee no later than September 2006, on the resources required to develop the Integrated Beach Management Strategy as it relates to Sunnyside Beach, the proposed source of these resources and a critical path for completing the work.”

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

**23 Toronto Waterfront Revitalization Initiative West Don Lands Phase 1 of Development Risk Assessment and Risk Management Plan**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**24 Creation of a Public Account for Donations for the Redevelopment of 1400 Avenue Road into a Community Park (Ward 16 - Eglinton-Lawrence)**

City Council on April 25, 26 and 27, 2006, referred this Clause to the General Manager, Parks, Forestry and Recreation, for a report to the Economic Development and Parks Committee.

**25 Process for Receiving Financial Donations for Community Festival**

City Council on April 25, 26 and 27, 2006, adopted the following staff recommendations contained in the Recommendations Section of the report (April 24, 2006) from the General Manager, Parks, Forestry and Recreation:

“It is recommended that:

- (1) donations of up to \$15,000.00, including \$10,000.00 from Bombardier and \$5,000.00 from other sources, be accepted by the City to support the festival celebrating the Downsview Memorial Parkette re-opening;

- (2) receipts for income tax purposes be issued to donors contributing to the 2006 Downsview Memorial Parkette re-opening event in accordance with the *Income Tax Act*; and
- (3) 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 (April 24, 2006) from the General Manager, Parks, Forestry and Recreation [Communication 26(a)].

**26 City of Toronto Affordable Housing Plan**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**27 Lease of City-Owned Property Located at 60 Bergamot Avenue - Affordable Rental Housing and Child Care Facility (Ward 2 - Etobicoke North)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**28 Response to the Reports on “Improving the Planning Process”**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

**29 Planning Process Intervention for the Toronto Community Housing Corporation Transitional Housing Development at 1900 Sheppard Avenue West (Ward 9 - York Centre)**

City Council on April 25, 26 and 27, 2006, amended this Clause by:

- (1) deleting Recommendation (D) of the Policy and Finance Committee and inserting instead the following:

“(D) that the Chief Planner and Executive Director, City Planning, and City Planning staff treat this application as a priority and prepare a report for the North York Community Council in time to reach City Council by its meeting of July 25, 2006.”; and

- (2) directing the City Clerk to:

- (i) place the Final Planning report on the agenda of the July 11, 2006 North York Community Council meeting, for subsequent submission to the July 25, 2006 meeting of City Council; and
- (ii) place the Planning report dealing with the site plan application on the agenda of the July 11, 2006 North York Community Council meeting, for subsequent submission to the July 25, 2006 meeting of City Council, if the local Councillor has not signed off on the site plan approval.

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

**30 30 Regent Street Affordable Housing Development**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**31 Labour Market Integration of Internationally Trained Persons**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**32 Donated Funds in Support of Animal Services**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**33 Other Items Considered by the Committee**

City Council on April 25, 26 and 27, 2006:

- (1) waived the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to consider Item (b), entitled “Property Tax Exemption for Sheena’s Place, A Registered Charity (Ward 20 - Trinity-Spadina)”, contained in this Clause, and adopted the following:

“**WHEREAS** Sheena’s Place, a facility known as the Hospice for Eating Disorders, is a non-profit, community-based support centre for people affected by eating disorders and their families, and serves as a link between hospital-based programs, schools, agencies, therapists, families and people with eating disorders; and

**WHEREAS** Sheena’s Place is a registered charity, and offers programs at no cost to the user and receives no government funding for their operational expenses, relying instead on financial support from individuals, corporations, foundations, and proceeds from special events; and

**WHEREAS** the property occupied by Sheena's Place at 87 Spadina Road has been classified as taxable at the residential tax rate since 1998, with estimated annual taxes of approximately \$10,200.00; and

**WHEREAS** representatives of Sheena's Place have indicated that they are seeking to obtain a property tax exemption through a Private Member's Bill introduced by a Member of Provincial Parliament; and

**WHEREAS** a report (March 29, 2006) from the Deputy City Manager and Chief Financial Officer, entitled 'Property Tax Exemption for Sheena's Place, A Registered Charity' was submitted to the April 11, 2006 meeting of the Policy and Finance Committee, and was received by the Committee; and

**WHEREAS** representatives of Sheena's Place have indicated that the City's public support of a Private Member's Bill would greatly further the chances of having the bill approved by the Legislature, and have requested that Council indicate, through its consideration of this report and any motions arising therefrom, its support of this initiative; and

**WHEREAS** the Council of the City of Toronto recognizes the philanthropic nature of the services provided by Sheena's Place and acknowledges that the organization fulfills a vital service need and complements the City's own health and wellness initiatives;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto support the efforts of Sheena's Place in seeking private legislation that would provide an exemption from property taxes."; and

- (2) referred Item (1), entitled "City of Toronto Energy Plan", contained in this Clause, back to the Policy and Finance Committee for further consideration.

The balance of the Clause was received for information.

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Councillor Michael Thompson, Ward 37, Scarborough Centre, filed the following communications related to Item (g), entitled "Positive Ticketing Program – Pilot Project in No. 41 Division, Toronto Police Service REF: 05-PF#6(6)":

- (i) (undated) from Jennifer Harrison, teacher at Ionview Public School;
- (ii) (undated) from Riley Huff;
- (iii) (undated) from Nickcarno Brown;

- (iv) (April 21, 2006) from Cindy Zwicker Reston, Principal, Stephen Bain, Vice Principal, and Nancy McLeod, Vice Principal, Bendale Business and Technical Institute;
- (v) (April 24, 2006) from Tim Brethour, Vice Principal, Winston Churchill Collegiate Institute;
- (vi) (undated) from Fathi Mohamed; and
- (vii) (undated) from Mythreyan Yogaratnam.

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Councillor Cowbourne declared an interest in interest in Item (l), entitled “City of Toronto Energy Plan”, in that her husband is employed by an independent electricity system operator which is directly responsible for the sale of hydro electricity in Ontario.

Deputy Mayor Feldman declared an interest in Item (r), entitled “Request to Install an Irrigation Supply Main Crossing under Jane Street for the Oakdale Golf and Country Club (Ward 7 – York West and Ward 9 – York Centre)”, in that he is a past President, shareholder and member of the subject Club.

## **Administration Committee Report 2**

### **1 Responsible Garment Manufacturer (No-Sweatshop) Policy**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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Council also considered the following:

Communication:

- (February 28, 2006) from the Honourable Art Eggleton, Senator [Communication 1(a)].

### **2 Canadian Content and Toronto Local Preference Policy**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

Council also adopted the following procedural motions:

“That:

- (1) all motions moved at the April 25, 26 and 27, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved; and

- (2) any speaker's lists from the April 25, 26 and 27, 2006 meeting of City Council be carried forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and be adopted for continuing the debate on those matters at that meeting, and that a provision be allowed for any Members who were not on a speaker's list to add their names."

Motion moved by Councillor Moscoe for consideration on May 23, 2006:

"That:

- (1) the City of Toronto develop a draft municipal taxpayer preference policy that recognizes the contribution made to the municipal economy by companies that pay property taxes and thereby contribute financially to the economy of the City of Toronto, the Greater Toronto Area (GTA), Ontario and Canada;
- (2) the draft policy be based entirely on objective measures, i.e., the quantum of property taxes paid to municipalities in each of four categories in descending order of impact on the local economy:
  - (a) to the City of Toronto (first category);
  - (b) to a municipality within the GTA (second category);
  - (c) to a municipality within Ontario (third category); and
  - (d) to a municipality in Canada; and
- (3) this draft policy be circulated to the Toronto Board of Trade, Manufacturers' Associations and Unions within the City of Toronto for their comments prior to consideration by Council."

**3 Amendment to Contract 47011251 Low Sulphur Coloured Diesel Fuel, Request for Quotation (RFQ) 6902-05-3261**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**4 Tax Adjustment - *Municipal Act, 2001 Sections 357 and 358***

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**5 Apportionment of Property Taxes**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**6 Remuneration and Expenses of Members of Council and of the Council Appointees to Local Boards and Other Special Purpose Bodies for the year ended December 31, 2005**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

Council also adopted the following procedural motion:

“That all motions moved at the April 25, 26 and 27, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved.”

Motion moved by Councillor Shiner for consideration on May 23, 2006:

“That the Treasurer be requested to amend Table 1 and Appendix B to the report (April 18, 2006) from the Treasurer to include, for the permanent record, a footnote to Councillor Shiner’s account for photocopying charges.”

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Council also considered the following:

- Report (April 18, 2006) from the Treasurer [Communication 13(a)].

**7 Access to City of Toronto Surplus Computer Equipment by Toronto Free-Net**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**8 Electronic Bill Presentment and Delivery Services Water Bills - Sole Source Agreement (All Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**9 Report on the Progress in Development of the SAP Competency Centre**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**10 Policy on Decision Making in Limiting Vendor Liability in City of Toronto Information and Technology Procurement Contracts (All Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**11 Records Retention By-law Amendment**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**12 Use of Corporate and Communication Resources During an Election Year**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

**13 City of Toronto 2005 Statistical Report to the Information and Privacy Commissioner (IPC) regarding the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) Compliance**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**14 Development Opportunities at Yonge Street and St. Clair Avenue - St. Clair Subway Station Property (Ward 22 - St. Paul's)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**15 Declaration as Surplus-Portion of 70 Birmingham Street (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**16 St. Lawrence Hall - Proposal to Lease Main Floor Premises at 161 King Street East (Ward 28 - Toronto Centre-Rosedale)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**17 Lease of Space at 30 College Street, Toronto (Ward 27 - Toronto Centre-Rosedale)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**18 Tax Exemption for Shelter Facility at 1229 Ellesmere Road (Ward 37 - Scarborough Centre)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**19 Land Exchange, Sale and Lease Amendment Respecting 548 Gerrard Street East and 14 St. Matthews Road (Ward 30 - Toronto-Danforth)**

City Council on April 25, 26 and 27, 2006, adopted the following staff recommendations contained in the Recommendations Section of the report (April 24, 2006) from the City Manager:

“It is recommended that:

- (1) City Council approve the recommendations in the staff report (March 1, 2006) from the Chief Corporate Officer, subject to amending the term of the restrictive covenant on the Hospital Lands to be for a period of forty (40) years; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

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

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Council also considered the following:

Report (April 24, 2006) from the City Manager [Communication 11(b)].

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Communications:

- (April 15, 2006) from Tony Stapells, President, Toronto Historical Association [Communication 11(a)(1)];
- (April 18, 2006) from Alexander K. Stuart [Communication 11(a)(2)];
- (April 19, 2006) from Mark Osbaldeston [Communication 11(a)(3)];
- (April 20, 2006) from Melissa Taylor [Communication 11(a)(4)];
- (April 20, 2006) from Lynne Haist [Communication 11(a)(5)];
- (April 20, 2006) from Charis Cotter [Communication 11(a)(6)];

- (April 21, 2006) from Carolyn Naftel [Communication 11(a)(7)];
- (April 21, 2006) from Daphne Hart [Communication 11(a)(8)];
- (April 21, 2006) from Carol Fisher [Communication 11(a)(9)];
- (April 19, 2006) from Kathleen Horiszny [Communication 11(a)(10)];
- (April 24, 2006) from Johathan Rudin and Barbara Yip [Communication 11(a)(11)];
- (April 24, 2006) from Lois Wallace [Communication 11(a)(12)];
- (April 24, 2006) from Pleasance Crawford [Communication 11(a)(13)];
- (April 24, 2006) from Angus Cunningham, Executive Coach and Management Consultant [Communication 11(a)(14)];
- (April 24, 2006) from Peter J. Carruthers, Chair, Heritage Toronto [Communication 11(a)(15)];
- (April 24, 2006) from Julie McGregor [Communication 11(a)(16)];
- (April 23, 2006) from Andrew Stewart [Communication 11(a)(17)];
- (April 23, 2006) from P. Coopersmith [Communication 11(a)(18)];
- (April 23, 2006) from Peter Oakes [Communication 11(a)(19)];
- (April 23, 2006) from Alex Fayle [Communication 11(a)(20)];
- (April 23, 2006) from Louis Badone and Donald Badone [Communication 11(a)(21)];
- (April 23, 2006) from Satinder Sahota [Communication 11(a)(22)];
- (April 23, 2006) from Gene Threndyle [Communication 11(a)(23)];
- (April 24, 2006) from Todd Van Horne [Communication 11(a)(24)];
- (April 24, 2006) from John Grigg [Communication 11(a)(25)];
- (April 24, 2006) from Nick Shcherban [Communication 11(a)(26)];
- (April 24, 2006) from Anne Wordsworth [Communication 11(a)(27)];
- (April 24, 2006) from Hamish Wilson [Communication 11(a)(28)];
- (April 23, 2006) from Julie McGregor [Communication 11(a)(29)];
- (April 24, 2006) from Bret Culp [Communication 11(a)(29)\*];
- (April 24, 2006) from Janet Walters [Communication 11(a)(30)];
- (April 24, 2006) from Davis Mirza [Communication 11(a)(31)];
- (April 25, 2006) from Catherine Nasmith, Architect, B. Arch., OAA [Communication 11(a)(32)];
- (April 25, 2006) from Karin Stephens [Communication 11(a)(33)];
- (April 25, 2006) from Alec Keefer [Communication 11(a)(34)];
- (April 25, 2006) from Steve Russell, Vice-President, Toronto Architectural Conservancy [Communication 11(a)(35)];
- (April 25, 2006) from Danielle Waxer [Communication 11(a)(36)];
- (April 25, 2006) from Tom Rogers [Communication 11(a)(37)];
- (April 25, 2006) from Ian Werker [Communication 11(a)(38)];
- (April 25, 2006) from Theresa McDiarmid [Communication 11(a)(39)];
- and
- (April 25, 2006) from Aaron Masecar [Communication 11(a)(40)].

(\* duplicate number)

**20 City of Toronto By-law Governing Retention Periods for Records in the Custody and Control of the Toronto Public Library Board**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**21 Other Items Considered by the Committee**

City Council on April 25, 26 and 27, 2006, referred Item (d), entitled “Policy for Purchase of Software Containing only Canadian Spell-Check”, contained in this Clause, back to the Administration Committee for further consideration.

The balance of the Clause was received for information.

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Councillor Cowbourne declared an interest in Item (p), entitled “Acquisition of Toronto District School Board’s Wanita Road Site (Ward 44 – Scarborough East)”, in that the subject property is immediately adjacent to her home.

**Audit Committee Report 1**

**1 Contract Management Issues**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**2 Management of City Information Technology Assets**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**3 Operational Review - Toronto Fire Service**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**4 2006 Audit Work Plan**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

**5 2004 Audited Financial Statements – Community Centres and Arenas**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**6 Finance Department's Response to Ernst and Young's Report: "Investment Policy Compliance for 2004"**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**7 Update on Issues Raised in Auditor Management Letters**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**8 2004 Audited Financial Statement of Downtown Yonge Business Improvement Area**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**9 Let's Build Program - 3810 Bathurst Street and 1555 Jane Street**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

**10 Other Items Considered by the Audit Committee**

City Council on April 25, 26 and 27, 2006, received this Clause, for information.

**Board of Health Report 2**

**1 Legal Petition to Reduce U.S. Air Pollution**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**2 Appointment of Associate Medical Officers of Health**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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Council also considered the following:

- Confidential Appendix 1 listing the names being recommended for appointment as Associate Medical Officers of Health and those whose appointment as Associate Medical Officers of Health should be rescinded [Confidential Communication C.2(a)]. This Appendix is now public in its entirety and contains the following names:

**Schedule 1:**

New public health physicians recommended for appointment as Associate Medical Officers of Health for the City of Toronto Health Unit:

Dr. Irene Armstrong, MD, MSc., CCFP, FRCPC (commenced work on 5 October, 2005)

Dr. Howard Shapiro, MSc, MD, FRCPC (commenced work on 23 January, 2006)

**Schedule 2:**

Former Associate Medical Officers of Health whose appointment as AMOH should be rescinded:

Dr. Anna Banerji

Dr. Bonnie Henry

Dr. Karl Kabasele

Dr. Lori Kiefer.

**3 National Framework for Action to Reduce the Harms Associated with Alcohol and Other Drug Substances in Canada**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**Community Services Committee Report 2****1 Donation of Canadian Coast Guard Vessel SORA to Toronto Fire Services**

City Council on April 25, 26 and 27, 2006, amended this Clause by amending Recommendation (1) contained in the report (March 2, 2006) from the Fire Chief and General Manager, Fire Services, so that it now reads as follows:

“(1) the City of Toronto accept with thanks the gratuitous transfer of the surplus Canadian Coast Guard vessel SORA; and”.

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

**2 Approval of Thorncliffe Park Child Care Centre**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**3 Status Report on Best Start Infrastructure Plan**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**4 Models of Funding Child Care Services**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**5 Consent to Subcontract Services under the Agreement Between the City and Lakeshore Laundry and Linen Concept Ltd.**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**6 Changes to the Ontario Disability Support Program Announced by the Minister of Community and Social Services**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**7 48 Havelock Street Tenants - Application for Grant**

City Council on April 25, 26 and 27, 2006, received this Clause.

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Council also considered the following:

- Report (April 24, 2006) from the General Manager, Shelter, Support and Housing Administration [Communication 25(a)].

**8 Ineligible Applicants to the 2006 Community Service Partnerships Program**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**9 Recommendations on Appeals of 2006 Funding Allocations for City of Toronto Homelessness Initiatives Fund and the Off the Streets into Shelter Program**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**10 The Toronto Social Purchasing Portal**

City Council on April 25, 26 and 27, 2006, adopted this Clause, without amendment.

**11 Hot Weather Response Plan - Update**

City Council on April 25, 26 and 27, 2006, amended this Clause by amending Recommendation (10) contained in the report (February 13, 2006) from the Medical Officer of Health, to provide that the report requested from the Medical Officer of Health and the Executive Director, Municipal Licensing and Standards respecting a maximum indoor temperature standard in new licensing requirements for multi-occupancy residential buildings in Toronto, be submitted to the Board of Health in January 2007.

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

**12 Other Items Considered by the Committee**

City Council on April 25, 26 and 27, 2006, received this Clause, for information.

**Economic Development and Parks Committee Report 2****1 Making the Link: Advancing Design as a Vehicle for Innovation and Economic Development (All Wards)**

City Council on April 25, 26 and 27, 2006, amended this Clause by adding the following:

“That a copy of this Clause be forwarded to the City Manager for a report to the Economic Development and Parks Committee on at least ten specific measures the City could take to enhance aspects of design at the City level.”

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

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Council also considered the following:

Communication:

- (April 25, 2006) from the General Manager, Economic Development, Culture and Tourism, forwarding the research report, entitled “Making the Link: Advancing Design as a Vehicle for Innovation and Economic Development” [Communication 23(a)].

**2 Design Exchange (DX) - 2006 Grant Annual Review (Ward 28 Toronto Centre-Rosedale)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**3 Intention to Merge the Upper Village (Toronto) and the Upper Village (York) Business Improvement Areas (BIAs) (Ward 21 St. Paul's)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**4 Name Change for the Weston Business Improvement Area (Ward 11 York South-Weston)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**5 Business Improvement Area (BIA) 2003 to 2006 Boards of Management Additions and Deletions (All Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**6 2006 Business Improvement Area Operating Budgets: Report 3 (Ward 12 York South-Weston)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**7 Citizen Appointment to the Collections, Conservation and Shared Resources Board (All Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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Council also considered the following:

- Confidential Attachment 1 listing the candidate being recommended for appointment to the Collections and Conservation Shared Resources Board [Confidential Communication C.3(a)]. This Attachment is now public in its entirety and contains the following name:

Erica Simmons.

**8 Appointment of a Citizen Member to the Historic Houses Community Museum Board (Ward 13 Parkdale High-Park, Ward 22 St. Paul's and Ward 27 Toronto Centre-Rosedale)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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Council also considered the following:

- Confidential Attachment 1 listing the candidate being recommended for appointment to the Historic Houses Community Museum Board [Confidential Communication C.4(a)]. This Attachment is now public in its entirety and contains the following name:

Josh Matlow.

**9 Request for Proposal (RFP) 0613-05-0299 Development and Operation of Food and Beverage Facilities at Five Golf Courses and Three Locations in the Parklands (Various Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**10 Request for Proposal (RFP) 9155-05-7312 Operator of Sports Injuries Clinic, Toronto Track and Field Centre, York University (Ward 8 York West)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**11 Sole Source Purchase Orders for Environmental Improvements with the Toronto and Region Conservation Authority (Various Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**12 Request by the Task Force to Bring Back the Don to Undertake an Ecological and Hydrological Assessment of Chester Springs Marsh (Ward 30 Toronto-Danforth)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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

City Council on April 25, 26 and 27, 2006, received this Clause, for information.

#### **Planning and Transportation Committee Report 2**

##### **1 Bill 51 - Planning and Conservation Land Statute Law Amendment Act, 2005 and the Land Use Provisions of Bill 53 Stronger City of Toronto for a Stronger Ontario Act, 2005**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

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Council also considered the following:

- Report (April 13, 2006) from the Chief Planner and Executive Director, City Planning [Communication 15(a)];
- Report (April 12, 2006) from the Chief Planner and Executive Director, City Planning [Communication 15(b)];
- Report (April 18, 2006) from the Chief Planner and Executive Director, City Planning [Communication 15(c)]; and
- Report (April 24, 2006) from the Chief Planner and Executive Director, City Planning [Communication 15(d)].

##### **2 Improving the Planning Process**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

##### **3 Parking Space Dimensions Zoning Review Supplementary Report 1**

City Council on April 25, 26 and 27, 2006, amended this Clause by adding the following:

“That the Chief Planner and Executive Director, City Planning, report to the Planning and Transportation Committee for its meeting on May 1, 2006, on a possible reduction of the width of the proposed parking spaces where those spaces are not adjacent to walls and/or columns.”

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

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Council also considered the following:

Communication:

- (March 24, 2006) from John Filipetti, Vice President, Development, Oxford Properties Group [Communication 2(a)].

#### **4 Harmonized Site Plan Control By-law Request for Further Direction**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

#### **5 Toronto and Region Conservation Authority Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 97/04)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

#### **6 Partial Settlement of the Appeal of the New Official Plan**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (February 6, 2006) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.5(a)]. The following staff recommendations contained in the Recommendations Section of the report and Appendix “A” 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) Council approve the proposed settlement of the appeal of the Official Plan by CORRA, as it pertains to the North Midtown/Bloor-Yorkville area, in the form of a modification as substantially set out in Appendix ‘A’;
- (2) the City Solicitor be authorized to take any necessary actions at the ongoing Ontario Municipal Board hearing to give effect to the proposed settlement; and

- (3) the appropriate City officials be authorized to execute any necessary documentation in a form satisfactory to the City Solicitor.”

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

- Confidential communication (February 1, 2006) from William H. Roberts, Barrister and Solicitor on behalf of the Confederation of Resident and Ratepayer Associations in Toronto (CORRA) [Confidential Communication C.5(b)]. This communication is now public in its entirety and on file in the City Clerk’s Office.

## **7 Proposed Settlement of an Appeal to the new Official Plan**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (February 16, 2006) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.6(a)]. The following staff recommendations contained in the Recommendations Section of the report and Appendix “A” 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) Council approve the proposed settlement of the appeal to the Official Plan by Ontario Realty Corporation and Hydro One, in the form of modifications substantially as set out in Appendix ‘A’;
- (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board hearing to give effect to the proposed settlement; and
- (3) the appropriate City officials be authorized to execute any necessary documentation, including Minutes of Settlement in relation thereto, in a form satisfactory to the City Solicitor.”

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

## **8 Proposed Settlement of an Appeal to the new Official Plan**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (February 17, 2006) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.7(a)]. The following staff recommendations contained in the Recommendations Section of the report and Appendix “A” 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) Council approve the proposed settlement of the appeal to the Official Plan by Home Depot of Canada Inc., in the form of modifications substantially as set out in Appendix ‘A’;
- (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board hearing to give effect to the proposed settlement; and
- (3) the appropriate City Officials be authorized to execute any necessary documentation, including Minutes of Settlement in relation thereto, in a form satisfactory to the City Solicitor.”

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

## **9 Review of New Applications and Re-applications to be Included in the City’s List of Approved Professional Holistic Associations**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

## **10 Harmonization of the Sign By-law Concerning Posters on Public Property**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

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Council also considered the following:

- Report (April 21, 2006) from the Executive Director, Municipal Licensing and Standards [Communication 3(b)].

Communication:

- (March 1, 2006) from Josh Paterson, Acting Director, Freedom of Expression Project, Canadian Civil Liberties Association [Communication 3(a)].

## **11 Ontario Building Code: Energy Efficiency Consultation**

City Council on April 25, 26 and 27, 2006, amended this Clause in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (April 19, 2006) from the Chief Building Official and Executive Director, Building:

“It is recommended that:

- (1) Council adopt Recommendations (1), (3), (4), (6) and (8) of the report (March 3, 2006) from the Chief Building Official and Executive Director, considered by the Planning and Transportation Committee at its meeting of March 6, 2006;
- (2) Council direct the Mayor to write the Minister of Municipal Affairs and Housing and the Minister of Energy in support of the Province’s initiative to increase energy efficiency and other environmental conservation objectives through proposed amendments to the Ontario Building Code, consistent with the City’s initiative to establish the City’s Roundtable on the Environment to advise the City on a broad range of current and emerging environmental sustainability issues affecting the City; and, in particular, emphasize that Council encourages the Province to pursue the most aggressive option for energy efficient amendments or develop a package of improvements that meet at least the 25 percent target;
- (3) Council support the recommendations identified by staff to adopt a labelling program with respect to energy efficiency, building on the success of existing third party verification programs such as EnerGuide, with building inspectors verifying that a label identifying the level of energy efficiency achieved has been affixed in the appropriate place;

- (4) Council encourage the Province to consider further amendments and removal of barriers to green technologies in the Ontario Building Code including: expanding the use of non-potable water systems, to allow for the use of surface water from Lake Ontario, for example, in these systems; investigation and removal of barriers in the Code to the use of geothermal heat pumps; requirements for light coloured roofing materials to reduce the heat island effect in urban areas, such as Toronto; and examining the recognition of additional standards to be referenced to allow for more efficient alternatives to six litre toilets, including more efficient and double flush models; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

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

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Council also considered the following:

- Report (April 19, 2006) from the Chief Building Official and Executive Director, Building [Communication 16(a)].

## **12 Proposed Partial Settlement of an Appeal to the new Official Plan**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (March 2, 2006) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.8(a)]. The following staff recommendations contained in the Recommendations Section of the report and Appendix “A” 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) Council approve the proposed settlement of specific appeals of the Official Plan, in the form of modifications substantially as set out in Appendix ‘A’;

- (2) the City Solicitor be authorized to take any necessary actions at the upcoming Ontario Municipal Board hearing to give effect to the proposed settlement; and
- (3) the appropriate City Officials be authorized to execute any necessary related documentation including Minutes of Settlement, in a form satisfactory to the City Solicitor.”

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

- Confidential communication (March 4, 2006) from George S. Belza, Partner, Analogica [Confidential Communication C.8(b)]. This communication is now public in its entirety and on file in the City Clerk’s Office.

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

City Council on April 25, 26 and 27, 2006, referred Item (c), entitled “Council’s Request to Introduce Separation Distances Between Holistic Centres, Adult Entertainment Parlours, Body-rub Parlours and Residential Zones in the Zoning Bylaws”, contained in this Clause, back to the Planning and Transportation Committee for further consideration.

The balance of this Clause was received for information.

### **Striking Committee Report 2**

#### **1 Appointments of Members of Council to the Federation of Canadian Municipalities (FCM) National Board of Directors**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

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

City Council on April 25, 26 and 27, 2006, received this Clause, for information.

### **Works Committee Report 2**

#### **1 Municipal Road Damage Deposits (All Wards)**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

**2 Ontario Ministry of Transportation GTA Travel Time Study Project (All Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**3 Status of Intelligent Transportation Systems Technology in the City of Toronto (All Wards)**

City Council on April 25, 26 and 27, 2006, amended this Clause:

(1) to provide that a higher priority be given to the following Intelligent Transportation Systems Strategies:

- (a) pedestrian count down signals (2.18);
- (b) re-defining transit signal priority to further enhance transit vehicle priority on existing and future installations (3.1); and
- (c) queue-end warnings on Allen Road and Black Creek Drive (2.2); and

(2) by adding the following:

“That the General Manager, Transportation Services, be requested to report to the Works Committee, within six months, on the audible signalization program, such report to include the new technology being developed whereby the audible signal can be manually activated.”

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

**4 Request for Direction - Filing of Environmental Assessment Report - Markham By-pass/Morningside Avenue Extension (Ward 42, Scarborough Rouge River)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**5 Extension of Sole Source Limit - On-Street Permit Parking**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**6 Increase in Blanket Contract No. 47006796 - Maintenance and Operation of Electrical Traffic Control Devices (All Wards)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**7 Increase in Blanket Contract No. 47010485, North, South and West Districts Street Lighting Maintenance (Wards 1 to 34 Inclusive)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**8 Increase in Blanket Contract No. 47007311, East District Street Lighting Maintenance (Wards 35 to 44 Inclusive)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**9 Request for Financial Assistance - 43 Dixon Avenue (Ward 32)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**10 Drain Grant Appeal - 57 Bobmar Road Scarborough (Ward 44)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**11 Request for Council Authority for the Purchase of Certain Sole-Sourced Essential Goods and Services Required by Toronto Water**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**12 Biosolids Management Contractual Issues (City-wide)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (February 20, 2006) from the General Manager, Toronto Water [Confidential Communication C.9(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 related to the security of the property of the municipality:

“It is recommended that:

- (1) the General Manager of Toronto Water be authorized to reinstate the original premium haulage rate of \$160.50 (including all taxes) as previously approved by Council in September 2003, thereby increasing the rate from the present amount of \$150.87 (including all taxes) for all biosolids loads hauled to Michigan landfill in excess of 25,000 dry tonnes per year for the time period starting January 1, 2006, to March 14, 2007, inclusive, for a total amount not to exceed \$305,000.00, including all applicable taxes and charges;
- (2) subject to adoption of Recommendation (1), above, the General Manager of Toronto Water be authorized to also apply the premium haulage rate adjustment for the time period starting January 1, 2005, to December 31, 2005, inclusive, and make a retroactive payment in the amount of \$203,599.67, including all applicable taxes and charges, to Terratec Environmental Ltd.;
- (3) this report be forwarded to the Policy and Finance Committee for consideration; and
- (4) subject to adoption of either one or both of Recommendations (1) and (2), above, the General Manager of Toronto Water be authorized to enter into an Amending Agreement with Terratec Environmental Ltd. altering the payments terms of the March 15, 2003 Agreement between the City of Toronto and Terratec Environmental Ltd. to reflect the premium haulage rate adjustment as authorized by Council; such Amending Agreement to be on terms and conditions satisfactory to the General Manager of Toronto Water and in a form satisfactory to the City Solicitor and that staff be authorized to take whatever action is necessary to give effect thereto.”

**13 Implementing the Green Roof Incentive Pilot Program 2006-2007 (City-wide)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**14 Rainwater Harvesting Demonstration Project at Exhibition Place (Ward 19)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**15 Terms and Conditions for the 2005 Flood Damages Grant Program (City-wide)**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

Council also adopted the following procedural motion:

“That all motions moved at the April 25, 26 and 27, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved.”

Motion moved by Councillor Watson for consideration on May 23, 2006:

“That:

- (1) Recommendation (1)(c) contained in the staff report (February 23, 2006) from the General Manager, Toronto Water, be amended to read as follows:

“(1)(c) the applicant’s uninsured damages, for building, vehicles and contents, are to be assessed based on depreciated values and not on replacement costs and the maximum amount of the grant be established as follows:

- (a) the only eligible applicants for the 2005 Flood Damages Grant Program will be those properties contained on Toronto Water’s list of affected properties, as of April 19, 2006;
- (b) the City’s independent adjuster will adjudicate each application and determine the eligible loss (EL) for each complete application received;
- (c) the maximum eligible loss for any applicant is established at \$3,000.00;

- (d) all applicants with an eligible loss less than or equal to \$900.00 (Group A applicants), will receive a grant amount equal to their eligible loss as soon as their application has been processed;
- (e) all applicants with an eligible loss greater than \$900.00 (Group B applicants), will receive an initial grant amount of \$900.00 as soon as their application has been processed;
- (f) an additional grant will be paid to Group B applicants, if there are funds remaining from the initial \$4 million budget, after all applications have been adjudicated and all initial grants paid out and the administration fees paid to the independent adjuster;
- (g) the additional grant to Group B applicants will be equal to the prorated portion of the funds remaining based on their eligible losses minus the \$900.00 already paid to them, as a fraction of the total eligible claims remaining, and provided the amount so calculated is greater than \$5.00; and
- (h) the following formula will be used to calculate the additional grant to Group B applicants:

$$AG = [EL - 900] * [TFR] / [TELB - NB * 900]$$

Where: AG = Additional Grant for the applicant

EL = Eligible Loss for the applicant

TFR = Total Funds Remaining out of the \$4 million after all initial grants and administration fees have been paid out

TELB = Total Eligible Losses for all of Group B

NB = Number of Group B applicants;” and

- (2) if claimants in Group B have eligible claims of \$1,100.00 or more, and they do not recover at least \$1,100.00 from the available funds, then additional funds from Operating Budget under-expenditures within 2006 be sought, so as to give Group B claimants with eligible claims of \$1,100.00 or more, a minimum recovery of \$1,100.00, if possible.”

Council also considered the following:

- Report (April 26, 2006) from the General Manager, Toronto Water [Communication 29(a)].

**16 Work Plan for the Engineering Review Addressing Basement Flooding (City-wide)**

City Council on April 25, 26 and 27, 2006, amended this Clause by adding the following:

“That the General Manager, Toronto Water, be requested to report to the Works Committee on:

- (1) the basement flooding protection program, the number of applications made and the number fully completed; and
- (2) the number and cost to construct storage facilities to provide sufficient protection in areas that have experienced chronic flood occurrences.”

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

**17 Draft Terms of Reference for the Peer Review of the Biosolids and Residuals Master Plan Decision Making Model (City-wide)**

City Council on April 25, 26 and 27, 2006, amended this Clause by:

- (1) inserting in Recommendation (5) of the Works Committee, the word “Draft” before the word “Biosolids”, so that Recommendation (5) now reads as follows:

“(5) the final report of the Peer Review Panel be submitted to the Works Committee for consideration of how to incorporate the findings of the Expert Panel into the final preparation of the Draft Biosolids and Residuals Master Plan;”; and

- (2) inserting in Recommendation (7) of the Works Committee, the word “Draft” before the word “Biosolids”, and by adding the words “of not less than 30 days”, so that Recommendation (7) now reads as follows:

“(7) subsequent to the consideration of the findings of the Expert Panel, the revised Draft Biosolids and Residuals Master Plan be released, and be subject to an additional comment period of not less than 30 days;”.

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

Council also considered the following:

- Confidential Appendix A, headed “Peer Review of the Biosolids and Residuals Master Plan – Draft Terms of Reference”, to the report (September 28, 2005) from the Acting General Manager, Toronto Water and the Medical Officer of Health [Confidential Communication C.10(a)]. This Appendix 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.

**18 The Use of Risk Assessment Approach to Manage Contaminated Lands Prior to Land Conveyances to the City Under the *Planning Act***

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**19 Greenfield South Power Generation Proposal, Mississauga (Wards 5 and 6)**

City Council on April 25, 26 and 27, 2006, received this Clause, for information.

**20 Contract 06FS-16S, Tender Call 23-2006 - Leslie Street Widening/Bridge Replacement at North York General Hospital and Sheppard Avenue East at Leslie Street Bridge Rehabilitation Over the Don River Ward 24, Willowdale and Ward 33, Don Valley East**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**21 Solid Waste Requirements for Lands at Ingram Transfer Station**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

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Council also considered the following:

- Report (April 21, 2006) from the Chief Planner and Executive Director, City Planning [Communication 19(b)].

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Communications:

- (April 21, 2006) from Nicolò Fortunato [Communication 19(a)]; and
- (April 26, 2006) from Nicolò Fortunato [Communication 19(c)].

**22 Collection of White Goods and Scrap Metals**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**23 Planning Study for an Expanded Public Source Separated Organic Processing System - Recommendations Regarding Sites and Technologies**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

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Council also considered the following:

- Report (April 21, 2006) from the General Manager, Solid Waste Management Services [Communication 17(b)].

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Communications:

- (April 20, 2006) from the City Clerk, City of Pickering [Communication 17(a)]; and
- (April 25, 2006) from the Clerk, Town of Ajax [Communication 17(c)].

**24 Other Items Considered by the Committee**

City Council on April 25, 26 and 27, 2006, received this Clause, for information.

**Etobicoke York Community Council Report 3****1 Requests for Endorsement of Events for Liquor Licensing Purposes (Ward 6 - Etobicoke-Lakeshore and Ward 13 - Parkdale-High Park)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**2 Refusal Report - 829, 833, 839 Oxford Street and 156, 160 Evans Avenue; OPA and Rezoning Application Applicant: CIC Millwork Ltd. (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

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Council also considered the following:

Communications:

- (April 25, 2006) from Peter M. Sirois, President and Chief Executive Officer, Etobicoke Chamber of Commerce [Communication 20(d)]; and
- (April 25, 2006) from Glen E. Grunwald, President and Chief Executive Officer, The Toronto Board of Trade [Communication 20(e)].

**3 Final Report - Local Area Review for the lands located Between Sheppard Avenue West, CPR Rail Line, Starview Lane and rear property lines of the Residential Properties along Weston Road and Official Plan and Rezoning Application, Subdivision Application; Applicant: Robert Truman 2277-2295 Sheppard Avenue West and 100 Mainshep Road (Ward 7 - York West)**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

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Council also considered the following:

- Report (April 24, 2006) from the Chief Planner and Executive Director, City Planning [Communication 20(c)].

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Communications:

- (April 21, 2006) from N. Jane Pepino, Aird & Berlis, Barristers and Solicitors [Communication 20(a)];
- (April 24, 2006) from Paul Scrivener, The Toronto Industry Network [Communication 20(b)]; and
- (April 25, 2006) from Murray H. Chusid, Q.C., Blaney McMurtry LLP [Communication 20(c)\*];
- (April 25, 2006) from Peter M. Sirois, President and Chief Executive Officer, Etobicoke Chamber of Commerce [Communication 20(d)]; and
- (April 25, 2006) from Glen E. Grunwald, President and Chief Executive Officer, The Toronto Board of Trade [Communication 20(e)].

[\* duplicate number]

**4 Final Report - Rezoning Application; Applicant: Mario Faroane; Architect: Gary Zebroski, Zebroski Associates Ltd. Architect 129 Fenmar Drive (Ward 7 - York West)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**5 Final Report - Official Plan Amendment and Rezoning Application; Applicant: Debra Walker, MHBC Planning Ltd. Architect: R. Gagliardi, Venchiarutti Architect 1120-1132 Weston Road (Ward 11 - York South-Weston)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**6 Final Report - Official Plan Amendment and Rezoning Application; Applicant: Jonathan Mair, Firm Capital Corporation; Architect: Ferdinand Wagner Architect 99 Chandos Avenue (Ward 17 - Davenport)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**7 Final Report - Official Plan and Zoning Amendment Applicant: Sam Paglia, Westport Beach Development Corporation; Architect: Kirkor Architects - 3857-3867 Lake Shore Boulevard West and 96 Forty First Street (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**8 Sign Variance Application Report - Applicant: Gabe Faraone 2160 Weston Road (Ward 11 - York South-Weston)**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

**9 Removal of One (1) Privately-Owned Tree - 239 Beta Street (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**10 Application for an Exemption to Toronto Municipal Code Chapter 447, Fences - 59 Westhampton Drive (Ward 2 - Etobicoke North)**

City Council on April 25, 26 and 27, 2006, postponed consideration of this Clause to its next regular meeting on May 23, 2006.

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Council also considered the following:

Communication:

- (April 18, 2006) from Latika James, submitted by Councillor Giorgio Mammoliti, Ward 7, York West [Communication 24(a)].

**11 Final Report - Rezoning Application to Lift (H) Holding Provisions; Applicant: John Dawson, McCarthy Tetrault LLP; Architect: Quadrangle Architects - 2077 Lake Shore Boulevard West (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**12 Direction Report - Official Plan Amendment and Rezoning Application; Applicant: Greg Daly, Walker Nott Dragicevic; Architect: Interarch Inc., 955-959 Weston Road (Ward 11 - York South-Weston)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**13 Direction Report - Official Plan Amendment and Rezoning Application; Applicant/Agent: Ted Cymbaly, Weston Consulting Group Inc., Architect: Global Architect - Northwest corner of Weston Road and Sidney Belsey Crescent (also referred to as 1500 Weston) (Ward 11 - York South-Weston)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**14 Proposed Installation of a U-Turn Prohibition on Humberline Drive between Humber College Boulevard and a point 100.0 metres west of Humber College Boulevard (Ward 1 - Etobicoke North)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**15 Proposed Parking Prohibition on both sides of Alicewood Court between Lynmont Road (north intersection and a point 43.0 metres west of Lynmont Road (north intersection) (Ward 1 - Etobicoke North)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**16 Proposed Two-Hour Parking Limit on a Section of the North Side of Monogram Place, West of Islington Avenue (Ward 2 - Etobicoke North)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**17 Traffic Assessment - West Wareside Road and Moyles Court (Ward 3 - Etobicoke Centre)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**18 Proposed U-Turn Prohibition on Trehorne Drive between Duffield Road and Tallon Road (Ward 4 - Etobicoke Centre)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**19 Proposed Standing Prohibition on Earlington Avenue and Thorndale Avenue (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**20 Proposed Parking Prohibition on Lothian Avenue in the area of Fairfield Seniors Centre - 80 Lothian Avenue (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

**21 Proposed Short-term Parking on Sixth Street in the area of the Lakeshore Community Child Care Centre, north of Morrison Street (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.































































































































































- (1) *City Council authorize staff to write to the Ontario Energy Board to correct the factual determinations of the Board as set out in its decision of April 12, 2006, as they relate to the actions of the City in relation to the City-held Promissory Note from Toronto Hydro Corporation and the receipt of dividend payments from Toronto Hydro Corporation;*
  - (2) *Toronto Hydro Corporation be advised that the terms of the City-held Promissory Note will remain effective for fiscal 2006;*
  - (3) *Council request the Deputy City Manager and Chief Financial Officer, in consultation with the Toronto Hydro Corporation to report to the June 20, 2006 meeting of the Policy and Finance Committee with respect to a payment policy from Toronto Hydro Corporation for 2007 and subsequent years; and*
  - (4) *the Deputy City Manager and Chief Financial Officer report to the June 20, 2006 Policy and Finance Committee meeting related to the monetization of the City-held Promissory Note and related issues.’ ”; and*
- (2) *adopt the following Resolution contained in staff Recommendation (1) of the Recommendations Section of the confidential report (April 25, 2006) from the City Solicitor. This Resolution 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 that is subject to solicitor-client privilege:*

*‘City staff be authorized to waive solicitor-client privilege, in order to provide Toronto Hydro Corporation and Toronto-Hydro Electric System Limited with that portion of the legal opinion received from Cassels, Brock & Blackwell, LLP, the City’s external counsel, relating to the rights of Toronto-Hydro Electric System Limited for appeal or review in respect of the Ontario Energy Board’s decision of April 12, 2006, pertaining to the rates of Toronto-Hydro Electric System Limited.’ ”*

*This Motion, as amended, was adopted by City Council.*

Council also considered the following:

- Report (April 25, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer.
- Confidential report (April 25, 2006) from the City Solicitor [Confidential Communication C.20(a)]. The above-noted Resolution contained in staff Recommendation (1) 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 that is subject to solicitor-client privilege.

**J(30) Power Generating Facility - Port Lands**

*Moved by Councillor Shiner, seconded by Mayor Miller*

“**WHEREAS** the Provincial Minister of Energy on February 10, 2006, directed the Ontario Power Authority to negotiate an agreement to purchase power from the Portlands Energy Centre (PEC); and

**WHEREAS** the City acknowledges and supports the need for new generation to Ensure Reliability of Electricity Supply to Central Toronto as outlined by the IESO, Hydro One, Toronto Hydro Corporation and the Ontario Power Authority on January 11, 2006; and

**WHEREAS** PEC, which is owned by TransCanada Energy Ltd. and Ontario Power Generation Inc., wishes to construct a new 550 megawatt, gas-powered electricity generating plant next to the existing R.L. Hearn Generating Station; and

**WHEREAS** Toronto City Council has expressed its opposition to the Portlands Energy Centre going forward without co-generation; and

**WHEREAS** the Toronto Waterfront Revitalization Corporation (TWRC), a partnership corporation among the Federal, Provincial and City of Toronto governments, has stated that new power generation on the Port Lands should:

- (1) be located in the Hearn Plant;
- (2) include co-generation; and
- (3) incorporate demand management into Toronto’s energy planning;

and that these elements which are not part of the current PEC proposal should be integrated into the provincial plans; and

**WHEREAS** the TWRC's position is consistent with the City of Toronto's position; and

**WHEREAS** the Ministry of the Environment Certificate of Approval requires the PEC to have a Combined Cycle Component efficiency of 53 percent annually; and

**WHEREAS** the Ministry of the Environment Certificate of Approval may have to be amended, as the PEC may not be able to meet this requirement and open as required in 2008; and

**WHEREAS** the PEC may need access to or through property under the authority of the City of Toronto, Toronto Economic Development Corporation (TEDCO) or TWRC; and

**WHEREAS** the City of Toronto has stated that any new power must be a co-generation ready facility, with capacity to provide District Heating for the revitalized waterfront, preferably from the existing Hearn facility; and

**WHEREAS** Toronto Hydro Energy Services, in partnership with Constellation Energy (also known as the Clean Energy Plan) has submitted a proposal to the Ontario Power Authority to utilize the existing Hearn facility in which it would build a smaller - 291 megawatt, high-efficiency generation plant, less expensive, co-generation ready facility; and

**WHEREAS** the Clean Energy Plan uses the most modern equipment, which will fit inside the existing Hearn facility and eliminate the need for a new industrial plant to be built in the Port Lands, is more environmentally-friendly, uses the best available pollution controls, provides space in the existing Hearn plant for both future District Heating and Cooling Plants and will contribute \$30 million in funding to a not-for-profit community trust; and

**WHEREAS** the Clean Energy Plan commits to implementing 200 megawatts of power, without building additional generation through Conservation Demand Management (CDM); and

**WHEREAS** the Clean Energy Plan is a cleaner, greener, smaller plant that will keep the lights on in Toronto; and

**WHEREAS** the Ontario Minister of Energy has refused to allow the Ontario Power Authority to review and compare both proposals and make recommendations to the Minister; and

**WHEREAS** the Portlands Energy Centre has just announced its intention to start preliminary site work in preparation for constructing their new Power Generating Facility right next to the existing R. L. Hearn Facility;

**NOW THEREFORE BE IT RESOLVED THAT** the City Manager and the City Solicitor consult with TEDCO, the Chief Planner, the TWRC and any other division or agency that may be able to provide assistance and report for no later than June 2006, through the Policy and Finance Committee, on all steps that the City can take to ensure that any power generation facility in the Port Lands takes a 'conservation first' approach, is co-generation ready, is located in the Hearn, minimizes impact on local air quality, and contributes to the revitalization of the Toronto waterfront."

*Disposition:*

*City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.*

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Councillor Cowbourne declared an interest in this Motion, in that her husband is employed by an independent electricity system operator which is directly responsible for the sale of hydro electricity in Ontario.

**J(31) Funding Renewal Request for Supporting Communities Partnership Initiative (SCPI)**

*Moved by Councillor Mihevc, seconded by Councillor Mammoliti*

“**WHEREAS** the federally-funded Supporting Communities Partnership Initiative (SCPI) is the centerpiece of the National Homelessness Initiative, a national program implemented by the previous government to reduce and alleviate homelessness; and

**WHEREAS** SCPI funding has been available to 64 communities across Canada, since 2000, and has improved community capacity to respond to local needs and develop new responses to homelessness; and

**WHEREAS** SCPI funding has enabled the City of Toronto to invest in the creation of needed transitional housing units, undertake Capital improvements to shelters and other community facilities and implement innovative programs and services to help people who are homeless, or at risk of being so, to move forward in their lives; and

**WHEREAS** the SCPI program is scheduled to end on March 31, 2007; and

**WHEREAS** the issue of homelessness continues to exist in Toronto and other communities across Canada and requires dedicated, long-term, flexible resources;

**NOW THEREFORE BE IT RESOLVED THAT** City Council urge the Government of Canada to renew the Supporting Communities Partnership Initiative at current funding levels for a further five years.”

***Disposition:***

***City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.***

**J(32) Report Request on Options to Close Down a Problem Property - 348 Atlas Avenue**

*Moved by Councillor Mihevc, seconded by Councillor Grimes*

“**WHEREAS** the building at 348 Atlas Avenue has been an on-going ‘problem property’ for its neighbours, as a result of non-compliance with the City’s noise by-laws, parking by-laws and the possible involvement of its owner and visitors to the building of drug dealing, illegal gambling, prostitution and most recently the near fatal shooting of three visitors to the building; and

**WHEREAS** despite efforts in 2005 and 2006 by the Toronto Police Service, the problems with the security of the building and related public safety concerns have continued; and

**WHEREAS** this safety concern should be addressed as soon as possible; and

**WHEREAS** section 433 of the *Municipal Act, 2001*, is a new community safety power that permits municipalities to apply to the Courts to close down problem properties as ‘public nuisances’ for up to two years;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be requested to report to the Planning and Transportation Committee on options to use section 433 of the *Municipal Act, 2001*, to apply to the courts to close down this building as a ‘public nuisance’.”

***Disposition:***

***City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.***

**J(33) Surface Transit Priority Study – Improving Transit Connections between Northwest Toronto and the Bloor-Danforth Subway**

*Moved by Councillor Hall, seconded by Mayor Miller*

“**WHEREAS** the City of Toronto’s Official Plan - Map 5 - Surface Transit Priority Network, includes a Transit Priority Segment on Highway 27 - Highway 427 - Dundas Street, linking the northwest portion of the City to the Bloor-Danforth Subway at Kipling Station; and

**WHEREAS** the northwest section of the City is undergoing land use change that has increased the demand for improved transit service during all hours of the day;

**NOW THEREFORE BE IT RESOLVED THAT** Council direct the Chief Planner and Executive Director, City Planning, in consultation with staff of the Toronto Transit Commission, to report to Planning and Transportation Committee on options available to improve transit service between the Bloor-Danforth subway and the northwest area of the City of Toronto.”

*Disposition:*

*City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.*

**J(34) Naming of Parkette after Danilo Celestino**

*Moved by Councillor Augimeri, seconded by Councillor Stintz*

“**WHEREAS** 17-year-old Danilo Celestino, a resident of Winston Park Boulevard, a student of Downsview Secondary School, a dear son, brother, nephew and friend, was brutally slain at the Downsview Plaza on Thursday, April 20, 2006; and

**WHEREAS** the untimely death of this good and respectful student, the brazenness and viciousness of the attack, the depth of sorrow experienced by family, friends and the community; and the number of young people who have come forward to offer information to Police, school staff and other community representatives, in an effort to help solve the crime, has been unprecedented; and

**WHEREAS** the local community has expressed its wish to commemorate the courage of our youth and the determination to turn around the violence in our neighbourhoods; and

**WHEREAS** it is a fitting tribute that the life of young Danilo be honoured with an appropriate memorial in the immediate community in which he resided, such as the naming of a parkette;

**NOW THEREFORE BE IT RESOLVED THAT** the General Manager, Parks, Forestry and Recreation report to the North York Community Council on naming the parkette at the corner of Wilson Avenue and Winston Park Boulevard in honour of Danilo Celestino, in accordance with the Naming and Renaming for Parks and Recreation Facilities and Parks Policy, and including all financial implications.”

*Disposition:*

*This Motion was withdrawn at City Council on April 25, 26 and 27, 2006.*

**J(35) 108 Stayner Avenue - Site Plan Control Application - 05 166083 NNY 15 SA - 749839 Ontario Limited (Ward 15 - Eglinton-Lawrence)**

*Moved by Councillor Moscoe, seconded by Councillor Filion*

“**WHEREAS** the owner of 108 Stayner Avenue (the ‘Property’) has appealed the refusal of the City to deal with the Site Plan Application to the Ontario Municipal Board (the ‘Board’); and

**WHEREAS** at its meeting of February 14, 2006, City Council adopted, as amended, North York Community Council Report 2, Clause 16, with respect to Notice of Approval Conditions for Site Plan Approval for the Property; and

**WHEREAS** a Board hearing is scheduled for May 17, 2006; and

**WHEREAS** there is a reasonable prospect of settlement of all issues in this matter; and

**WHEREAS** there will not be another Council meeting before the Board hearing in this matter;

**NOW THEREFORE BE IT RESOLVED THAT** City Council adopt the staff recommendations contained in the Recommendations Section of the attached confidential report (April 26, 2006) from the City Solicitor.”

***Disposition:***

***City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.***

***In adopting Motion J(35), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the confidential report (April 26, 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 that is subject to solicitor-client privilege:***

***“It is recommended that:***

**(1) *City Council confirm the previous recommendations of Site Plan Approval for 108 Stayner Avenue subject to the following modification:***

**(a) *Condition No. 8 of the additional Notice of Approval Conditions be deleted and replaced with the following:***

- “(8) *the applicant shall be required to pay up to an additional \$15,000.00 for enhancements to and additional tree plantings for the proposed landscaping on the Property and on the road allowances to the satisfaction of Urban Forestry Services.*”;
- (2) *the City Solicitor be authorized to advise the Ontario Municipal Board that the City agrees to changes to the Provisional Consents and Zoning By-law Amendment, which have been approved by the Board, to extend the easterly lot line of the Heritage Lot, being Lot 2, to the northerly lot line of Lot 7 and to take all necessary actions to that effect; and*
- (3) *the City Solicitor be authorized to seek approval at the Ontario Municipal Board to any additional conditions of Site Plan Approval, which are agreed upon between the owner and the neighbours, provided that any additional conditions must be agreed to between the owner and the neighbours on or before May 5, 2006, failing which this recommendation has no force or effect.*”

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Council also considered the following:

- Confidential report (April 26, 2006) from 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 remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege.
- 
- Confidential Fiscal Impact Statement (April 26, 2006) from the Deputy City Manager and Chief Financial Officer.

**J(36) Grow Houses**

*Moved by Councillor Kelly, seconded Councillor Del Grande*

“**WHEREAS** grow houses introduce a criminal element that makes communities feel unsafe; and

**WHEREAS** grow houses create derelict properties that are dangerous to the community; and

**WHEREAS** grow houses promote gang behaviour that brings violence into the community; and

**WHEREAS** grow houses create unsafe living conditions by causing environmental hazards such as mould; and

**WHEREAS** grow houses can remain vacant for several months which can lead to watermains bursting and causing extensive damage to properties; and

**WHEREAS** grow houses are often equipped with ‘booby’ traps to prevent entry, causing safety concerns for the Toronto Police Service and the general public; and

**WHEREAS** grow houses are a fire hazard, due to the number of chemicals stored in the house; and

**WHEREAS** grow houses create health hazards by causing infestation of rodents, birds and other types of small animals; and

**WHEREAS** grow houses create an atmosphere of fear, especially at night when most of the transporting of the illegal substances takes place; and

**WHEREAS** grow houses lower neighbourhood real estate values; and

**WHEREAS** unsuspecting buyers may be burdened with the costs of bringing the property up to City standards;

**NOW THEREFORE BE IT RESOLVED THAT** the City request the Ministry of Government Services of the Province of Ontario to meet with the Real Estate Corporation of Ontario (RECO) with the intent of introducing a clause on the base Offer of Purchase and Sale that would warrant that the house had not been used as a grow house;

**AND BE IT FURTHER RESOLVED THAT** the City request the Toronto Real Estate Board to use its Ethics Committee to investigate the brokers whose salespersons have participated in the sale of properties that have been identified as grow houses; and that those who participated in a sale without disclosure on either the MLS listing or the Offer of Purchase and Sale be disciplined according to the rules and regulations of the Toronto Real Estate Board.”

***Disposition:***

***City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.***

**J(37) 9 Hanna Avenue - Exchange of Property Interests with the Owner of 5 and 11 Hanna Avenue and Amendment to Section 30 Agreement Between the City of Toronto and 863880 Ontario Ltd. in Respect of Lands on the West Side of Strachan Avenue**

*Moved by Deputy Mayor Pantalone, seconded by Councillor Watson*

“**WHEREAS** at its meeting held on July 22, 23 and 24, 2003, Council adopted, as amended, Policy and Finance Committee Report 8, Clause 20, respecting the purchase of 9 Hanna Avenue for the Toronto Police Service Central Traffic and Garage and Court Services facility, and directed the Commissioner of Corporate Services to report back on the results of negotiations with the adjacent property owner related to the minimization of the effect of existing easements on 9 Hanna Avenue; and

**WHEREAS** a number of reports have been submitted on the progress of the negotiations, the most recent being Administration Committee Report 7, Clause 10, adopted, without amendment, by Council at its meeting on September 28, 29 and 30, 2005; and

**WHEREAS** staff has come to an agreement, conditional on Council approval, with the owner of 5 and 11 Hanna Avenue which will eliminate, relocate or recognize specific easements, allowing for greater independent use of 5, 9 and 11 Hanna Avenue and which will remove a title encumbrance from 9 Hanna Avenue which has delayed the closing of the 9 Hanna Avenue purchase; and

**WHEREAS** the report (April 24, 2006) from the Chief Corporate Officer, entitled ‘9 Hanna Avenue - Exchange of Property Interests with the Owner of 5 and 11 Hanna Avenue’, is submitted as a further response to Council’s direction to report back on the results of the negotiations with the adjacent property owner related to the minimization of the effect of existing easements on the property; and

**WHEREAS** this report must be considered by Council at this meeting due to legal deadline, as the closing date of the 9 Hanna Avenue transaction is currently only extended to April 28, 2006, and following Council’s consideration of the report, agreement must be reached with the vendor of 9 Hanna Avenue to extend the closing date to a date which will enable the title encumbrance to be resolved and the closing to proceed; and

**WHEREAS** this report must be considered in conjunction with the report (April 24, 2006) from the Chief Corporate Officer, entitled ‘Amendment to Section 30 Agreement Between the City of Toronto and 863880 Ontario Ltd. in Respect of Lands on the West Side of Strachan Avenue’, for the reasons set out in each report;

**NOW THEREFORE BE IT RESOLVED THAT** City Council:

- (1) adopt the staff recommendations contained in the Recommendations Section of the report (April 24, 2006) from the Chief Corporate Officer, entitled '9 Hanna Avenue - Exchange of Property Interests with the Owner of 5 and 11 Hanna Avenue'; and
- (2) adopt the staff recommendations contained in the Recommendations Section of the report (April 24, 2006) from the Chief Corporate Officer, entitled 'Amendment to Section 30 Agreement Between the City of Toronto and 863880 Ontario Ltd. in Respect of Lands on the West Side of Strachan Avenue'."

***Disposition:***

*City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.*

***In adopting Motion J(37), without amendment, Council:***

- (1) *adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (April 24, 2006) from the Chief Corporate Officer, entitled "9 Hanna Avenue - Exchange of Property Interests with the Owner of 5 and 11 Hanna Avenue":*

***"It is recommended that:***

- (1) *authority be granted for the City to enter into an agreement with Toronto Hanna Properties Limited ('Toronto Hanna') and GT Fiber Services Inc. ('GT') for the exchange of property interests and additional terms outlined in Appendix 'A', and on such other terms and conditions as the Chief Corporate Officer may deem advisable or appropriate to effect the exchange, with the agreement to be in a form satisfactory to the City Solicitor;*
- (2) *the City Solicitor be authorized to complete the transactions on behalf of the City, including payment of any necessary expenses;*
- (3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and*

- (4) *this report be considered in conjunction with the report submitted by the Chief Corporate Officer dated April 24, 2006, entitled ‘Amendment to Section 30 Agreement between the City and 863880 Ontario Ltd. in respect of the lands on the west side of Strachan Avenue’.*”; and
- (2) *adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (April 24, 2006) from the Chief Corporate Officer, entitled “Amendment to Section 30 Agreement Between the City of Toronto and 863880 Ontario Ltd. in Respect of Lands on the West Side of Strachan Avenue”:*

*“It is recommended that:*

- (1) *the existing Agreement under Section 30 of the Expropriations Act (the ‘Section 30 Agreement’) between the City and 863880 Ontario Limited (‘863880’) in respect of the acquisition of certain lands on the west side of Strachan Avenue, be amended on the following terms, with the amending agreement to be in a form satisfactory to the City Solicitor:*
- (a) *the closing date be extended to February 28, 2007;*
- (b) *the City be given the option to extend the closing date beyond February 28, 2007, for an additional period of up to five (5) years, on prior written notice;*
- (c) *following closing, the City be given the option, for a term of twenty (20) years, to require 863880 to repurchase the property, at the same purchase price paid by the City, plus simple interest at a rate of six percent (6%) per annum; and*
- (d) *following closing, 863880 be given the option, for a term of twenty (20) years, to repurchase the property if the City determines that the property is not required for the Front Street Extension and City Council declares the property to be surplus. The repurchase price will be the same amount paid by the City for the property, plus simple interest at the rate of six percent (6%) per annum;*
- (2) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and*

- (3) *this report be considered in conjunction with the report submitted by the Chief Corporate Officer dated April 24, 2006, entitled '9 Hanna Avenue – Exchange of Property Interests with the Owner of 5 and 11 Hanna Avenue'.*
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Council also considered the following:

- report (April 24, 2006) from the Chief Corporate Officer, entitled “9 Hanna Avenue - Exchange of Property Interests with the Owner of 5 and 11 Hanna Avenue”; and
- report (April 24, 2006) from the Chief Corporate Officer, entitled “Amendment to Section 30 Agreement Between the City of Toronto and 863880 Ontario Ltd. in Respect of Lands on the West Side of Strachan Avenue”.

**J(38) Supplementary Report – 651 Warden Avenue (Goldman Centennial Developments Ltd.) and Supplementary Report – 300 Danforth Road (1007328 Ontario Limited)**

*Moved by Councillor Altobello, seconded by Councillor De Baeremaeker*

**“WHEREAS** City Council on January 31, February 1 and 2, 2006, adopted Final Reports and development applications for 300 Danforth Road and 651 Warden Avenue in Scarborough Community Council Report 1, Clauses 15 and 16; and

**WHEREAS** the enactment of the Zoning Bills were withheld at City Council on January 31, February 1 and 2, 2006; and

**WHEREAS** City Council directed the Chief Planner and Executive Director, City Planning, to report to Council at such time as satisfactory arrangements and measures have been identified to address the interface with adjacent industrial uses and to address truck access implications for one of the abutting industrial land owners; and

**WHEREAS** the Chief Planner and Executive Director, City Planning, has prepared two reports (April 27, 2006) identifying appropriate mitigation and/or buffering measures with respect to the interface between adjacent industrial landowners, and addressing concerns regarding truck access implications for one of the abutting industrial landowners;

**NOW THEREFORE BE IT RESOLVED THAT** City Council:

- (1) consider the attached report (April 27, 2006) from the Chief Planner and Executive Director, City Planning, entitled ‘Supplementary Report - Rezoning Application 04 204283 ESC 35 OZ, Draft Plan of Subdivision Application 04 204285 ESC 35 SB, Proponent: Goldman Centennial Developments Limited, Architect: John Blums, John Blums Architect Inc., 651 Warden Avenue (Ward 35 - Scarborough Southwest)’, and that the staff recommendations contained in the Recommendations Section of the report be adopted [Attachment (1)]; and
- (2) consider the attached report (April 27, 2006) from the Chief Planner and Executive Director, City Planning, entitled ‘Supplementary Report - Rezoning Application 05 110455 ESC 35 OZ, Draft Plan of Subdivision Application 05 188717 ESC 35 SB, Proponent: 1007328 Ontario Limited, Architect: Burka Varacalli Architects, 300 Danforth Road (Ward 25 - Scarborough Southwest)’, and that the staff recommendations contained in the Recommendations Section of the report be adopted [Attachment (2)].”

***Disposition:***

***City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.***

***In adopting Motion J(38), without amendment, Council:***

- (1) ***adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (April 27, 2006) from the Chief Planner and Executive Director, City Planning, entitled “Supplementary Report - Rezoning Application 04 204283 ESC 35 OZ, Draft Plan of Subdivision Application 04 204285 ESC 35 SB, Proponent: Goldman Centennial Developments Limited, Architect: John Blums, John Blums Architect Inc., 651 Warden Avenue (Ward 35 - Scarborough Southwest)”:***

***“It is recommended that City Council:***

- (1) ***recommend to the Chief Planner that appropriate air quality and noise mitigation measures, generally as set out in Attachment 1, be included in the Draft Plan of Subdivision approval conditions for this development, and such Draft Plan of Subdivision approval conditions may be added to or modified as the Chief Planner may deem appropriate to address matters arising from the on-going technical review of this development; and***

- (2) *proceed with enactment of the zoning amendment for this 253-dwelling unit residential development, pursuant to the development approval set out in Clause 16 of Report 1 of the Scarborough Community Council.”; and*
- (2) *adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (April 27, 2006) from the Chief Planner and Executive Director, City Planning, entitled “Supplementary Report - Rezoning Application 05 110455 ESC 35 OZ, Draft Plan of Subdivision Application 05 188717 ESC 35 SB, Proponent: 1007328 Ontario Limited, Architect: Burka Varacalli Architects, 300 Danforth Road (Ward 25 - Scarborough Southwest)”:*

*“It is recommended that City Council:*

- (1) *recommend to the Chief Planner that appropriate air quality and noise mitigation measures, generally as set out in Attachment 1, be included in the Draft Plan of Subdivision approval conditions for this development, and such Draft Plan of Subdivision approval conditions may be added to or modified as the Chief Planner may deem appropriate to address matters arising from the on-going technical review of this development;*
- (2) *recommend that the Chief Planner and Executive Director make such red line revisions to the draft plan of subdivision and modifications to the conditions of Draft Plan of Subdivision Approval as may be appropriate to implement such truck access arrangements as may be agreed to between 1007328 Ontario Limited and Patterson Industries (Canada) Limited; and*
- (3) *proceed with enactment of the zoning amendment for this 348-dwelling unit residential development, pursuant to the development approval set out in Clause 15 of Report 1 of the Scarborough Community Council.”*

Council also considered the following:

- Report (April 27, 2006) from the Chief Planner and Executive Director, City Planning entitled “Supplementary Report - Rezoning Application 04 204283 ESC 35 OZ, Draft Plan of Subdivision Application 04 204285 ESC 35 SB, Proponent: Goldman Centennial Developments Limited, Architect: John Blums, John Blums Architect Inc., 651 Warden Avenue (Ward 35 - Scarborough Southwest)” [Attachment (1)]; and

- Report (April 27, 2006) from the Chief Planner and Executive Director, City Planning, entitled “Supplementary Report - Rezoning Application 05 110455 ESC 35 OZ, Draft Plan of Subdivision Application 05 188717 ESC 35 SB, Proponent: 1007328 Ontario Limited, Architect: Burka Varacalli Architects, 300 Danforth Road (Ward 25 Scarborough Southwest)” [Attachment (2)].

**J(39) Potential Ontario Municipal Board Hearing – 2 Traymore Crescent**

*Moved by Councillor Saundercook, seconded by Councillor Grimes*

“**WHEREAS** the Committee of Adjustment held a public meeting on April 6, 2006, to consider a request for the granting of a minor variance at 2 Traymore Crescent; and

**WHEREAS** the Committee heard from area residents opposed to the granting of this variance; and

**WHEREAS** the Committee of Adjustment refused to grant the requested variance, on the basis that the general intent and purpose of the Official Plan and Zoning By-law is not maintained and the variances were neither minor in nature nor were they considered desirable for the appropriate development of the land; and

**WHEREAS** the proposal would legalize three additional dwelling units currently existing in the dwelling at 2 Traymore Crescent, by reducing the required number of parking spaces; and

**WHEREAS** the three additional dwelling units were built in the absence of a building permit and may be in violation of the Building Code; and

**WHEREAS** the applicant is expected to appeal this decision to the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT** in the event of an appeal of the Committee of Adjustment decision, the City Solicitor be directed to attend at the Ontario Municipal Board in defence of the City’s Committee of Adjustment decision.”

***Disposition:***

***Notice of this Motion was given to permit consideration at the next regular meeting of City Council on May 23, 2006.***

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Council also considered the following:

- Notice of Decision (April 7, 2006) from the Manager and Deputy Secretary Treasurer, Etobicoke York Panel, Committee of Adjustment.

**J(40) Protection of Individuals at Toronto City Hall and Nathan Phillips Square**  
*Moved by Councillor Pitfield, seconded by Councillor Stintz*

“**WHEREAS** Councillor Michael Thompson and his assistant were aggressively approached by a panhandler at Nathan Phillips Square on April 26, 2006, at approximately 6:10 p.m.; and

**WHEREAS** Councillor Thompson was assaulted; and

**WHEREAS** panhandling is increasingly becoming a problem throughout the City;

**NOW THEREFORE BE IT RESOLVED THAT** City Council:

- (1) request the Chief Corporate Officer to report to the next meeting of City Council, through the Administration Committee, on measures that can be implemented to discourage panhandling at Toronto City Hall, Nathan Phillips Square and other Civic Centres;
- (2) request that the City Manager, in consultation with the Toronto Police Service, determine ways to ensure the safety and security of Toronto residents, businesses and tourists across the City and to discourage panhandling and report the findings, through the Policy and Finance Committee, to the next meeting of City Council; and
- (3) request the City Solicitor, in consultation with the appropriate staff, to report to next meeting of City Council, through the Policy and Finance Committee, on the possibility of a ‘quality-of-life’ by-law that would include a provision that ‘no person can impede any other person’s reasonable enjoyment of day-to-day activities through panhandling,’ , such report to also include a communications strategy to notify residents, businesses, tourists and panhandlers of such a by-law, as well as an enforcement strategy.”

***Disposition:***

***City Council on April 25, 26 and 27, 2006, postponed consideration of this Motion to its next regular meeting on May 23, 2006.***

**J(41) Request for Investigation – Release of Confidential Information**  
*Moved by Councillor Nunziata, seconded by Councillor Palacio*

“**WHEREAS** on Thursday, April 27, 2006, Council was advised that confidential information respecting a report from the Auditor General on a review of certain applications before the North York Committee of Adjustment was reported in the media; and

**WHEREAS** a breach of confidentiality compromises Council's privilege and can also cause harm to individuals and breaches are consistently happening; and

**WHEREAS** Bill 53, if adopted, provides for the suspension of a Member's pay for up to 90 days, in the event of a breach of the Members' Code of Conduct; and

**WHEREAS** the Bellamy Recommendations Steering Committee is currently reviewing the Members' Code of Conduct with a view to recommending improvements before the next term of Council; and

**WHEREAS** Council must ensure that breaches of confidentiality are thoroughly investigated;

**NOW THEREFORE BE IT RESOLVED THAT** Council request the Integrity Commissioner to investigate the release of confidential information from the Auditor General's report on a review of certain applications before the North York Committee of Adjustment and report his findings to Council;

**AND BE IT FURTHER RESOLVED THAT** the matter of breaches of confidentiality by Members and their staff be referred to the Bellamy Recommendations Steering Committee, with the request that it ensure that any amendments to the Code will permit Council to take the fullest advantage of the penalty provisions of Bill 53."

*Disposition:*

*City Council on April 25, 26 and 27, 2006, adopted this Motion, without amendment.*

### **Condolence Motions**

(1) **Moved by:** Councillor Cowbourne

**Seconded by:** Councillor Soknacki

**“WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the sudden passing of Mr. David Francis Horrox on Saturday, April 1, 2006; and

**WHEREAS** David Horrox served the residents of Scarborough, from 1982 to 1994, first as School Trustee, and as Chairman of the Scarborough Board of Education during his last term in public office; and

**WHEREAS** Mr. Horrox worked for over 24 years with the federal government, administering social and labour legislation and appeared as a departmental representative before the Canada Labour Relations Board, the Ontario Labour Relations Board and the Public Service Staff Relations Board; and

**WHEREAS** David Horrox served as a member of the Toronto Licensing Tribunal and the Ontario Rental Housing Tribunal; and

**WHEREAS** Mr. Horrox was for many years a volunteer with Fernie House, a facility which assists young men who are in trouble with the law to turn their lives around, and was also an eager volunteer with Habitat for Humanity; and

**WHEREAS** David Horrox demonstrated his strong religious faith, both as a church elder at Grace Presbyterian Church and more recently with Melville Presbyterian Church; and

**WHEREAS** Mr. Horrox coached both house and all-star leagues with the West Rouge Centennial Softball Association and also served as a member of the Board; and

**WHEREAS** David Horrox will always be remembered for his commitment to his community;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to his wife Nella and their children Naomi and John.”

*Disposition:*

*City Council on April 25, 26 and 27, 2006, adopted this Motion unanimously.*

(2) **Moved by:**                    **Councillor Thompson**

**Seconded by:**                **Councillor De Baeremaeker**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Bob MacDonald on Sunday, February 26, 2006, in his 76<sup>th</sup> year; and

**WHEREAS** Bob who was born and grew up with his older brother Russell and sister Betty in Plymouth Park, Nova Scotia; and

**WHEREAS** as a youngster, Bob began showing his passion for hockey, by using each spare moment to play shinny hockey with neighbourhood kids; and

**WHEREAS** while attending Acadia University in Wolfville, Nova Scotia, Bob not only worked hard at his studies, he also played on Acadia's Axemen football and hockey teams; and

**WHEREAS** Bob was an extraordinary hockey player who was recognized for his talent by being added to the Hockey Honour Roll at Acadia University; and

**WHEREAS** Bob completed his undergraduate studies by receiving a Bachelor of Arts degree in 1950, which was followed by a Masters of Arts degree in English in 1951; and

**WHEREAS** in 1950, Acadia University presented Bob with a trophy recognizing his excellence as a student, as well as an athlete; and

**WHEREAS** having completed his post graduate studies at Acadia University, Bob traveled to New York to attend the Columbia School of Journalism; and

**WHEREAS** Bob was hired by the Toronto Star in the summer of 1953, before moving to the Toronto Telegram a few years later; and

**WHEREAS** from 1955 to 1962, during Nathan Phillips' Mayorship, Bob not only covered the City Hall beat, but also played hockey for the media team; and

**WHEREAS** when the Toronto Telegram closed its doors on October 30 1971, Bob and a number of colleagues from the Tely decided to launch a new newspaper; and

**WHEREAS** on November 1, 1971, the day Toronto's new paper the Sun was born, Bob's bombshell front page story titled '\$10 Million Goof' revealed how the federal government wasted taxpayers' money by mistakenly selling 'surplus' jet fighters to Argentina, only to realize later that they were needed, and new ones had to be ordered; and

**WHEREAS** during his 55-year career in the news business, Bob wrote lucidly and influentially about many defining moments in Canada and around the world; and

**WHEREAS** Bob was a journalist in the finest sense of the word – using his considerable talents to expose failure and champion the public good; and

**WHEREAS** Bob set high standards as a journalist and as a human being, his skills, integrity and dedication to his craft earned the respect of colleagues and readers alike; and

**WHEREAS** Bob MacDonald led a life truly worth emulating, touching lives in the process and he will be truly missed;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be requested to convey, on behalf of the Mayor and Members of Toronto City Council our admiration of his life and our sincere sympathy to his loving wife Nellie-Joe, daughter Moira, grandson Holm Gill, sister Betty Heighton and brother Russell MacDonald.”

***Disposition:***

***City Council on April 25, 26 and 27, 2006, adopted this Motion unanimously.***

(3) **Moved by: Councillor Grimes**

**Seconded by: Mayor Miller**

“**WHEREAS** the Members of Toronto City Council are deeply saddened to learn of the passing of Steve Stavro on April 23, 2006, in his 78th year; and

**WHEREAS** Steve Stavro was born in Gavro, in the Macedonian Highlands of Greece, on September 27, 1927 and came to Canada at the age of seven and as a child worked in his father’s grocery store; and

**WHEREAS** Steve Stavro, a Maple Leaf fan since his youth, became a director of Maple Leaf Gardens in 1981 and later was best known for his decade-long part ownership of the Maple Leafs where he became Chairman of the Board of Maple Leaf Sports and Entertainment Ltd. in 1991 and was also a Governor of the National Hockey League and Chairman of the Board of the Air Canada Centre; and

**WHEREAS** Steve Stavro was the founder and president of one of Canada’s largest independent food retailers, Knob Hill Farms, for 47 years; and

**WHEREAS** Steve Stavro was also a driving force behind repeated attempts to develop professional soccer in Toronto with his work to organize the North American Soccer League and his ownership in the Toronto City Soccer Club; and

**WHEREAS** Steve Stavro’s Knob Hill Stable won more than 50 stakes races and in 1993 he was honoured as North America’s Outstanding Breeder and Owner of the Year and strange as it may sound, he loved horses so much he could never bet on them; and

**WHEREAS** in 1992, Steve Stavro was made a member of the Order of Canada and was inducted into the Canada Sports Hall of Fame of which he is a founding sponsor; and

**WHEREAS** in the community, Steve Stavro has been a director of the Liquor Control Board of Ontario, a member of the Executive Committee of the Economic Council of Canada and a trustee of the Ontario Jockey Club;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to his wife Sally Stavro, his four children Constance, Elaine, Deborah and Stephanie, his nine grandchildren and two great granddaughters.”

*Disposition:*

*City Council on April 25, 26 and 27, 2006, adopted this Motion unanimously.*

(4) **Moved by:** Mayor Miller

**Seconded by:** Deputy Mayor Pantalone

“**WHEREAS** the Mayor and Members of Council are shocked and saddened to learn of the passing of Jane Jacobs this morning, 9 days shy of her 90<sup>th</sup> birthday; and

**WHEREAS** Jane Jacobs will forever be known as one of the great urban thinkers and activists of this or any other time; and

**WHEREAS** Jane Jacobs’ legacy is imbedded in the fabric and function of our City; and

**WHEREAS** Jane Jacobs’ passion for cities gave us an understanding and appreciation for community, natural space and diversity in our City that results in healthy, mixed-used neighbourhoods and liveable downtowns and suburban centres; and

**WHEREAS** Jane Jacobs, became a Torontonian by choice in 1969 and had an immediate impact on her Annex neighbourhood and the city at large; and

**WHEREAS** Jane Jacobs was integral in stopping an expressway through Washington Square in New York City as well as the Spadina Expressway which would have destroyed many lively and healthy neighbourhoods; and

**WHEREAS** Jane Jacobs was involved with innumerable city building initiatives including the celebrated and diverse St. Lawrence Neighbourhood; and

**WHEREAS** she will certainly be claimed as a citizen of many cities, but today we mourn this true citizen of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to her family.”

***Disposition:***

***City Council on April 25, 26 and 27, 2006, adopted this Motion unanimously.***

**Issued:        May 2, 2006**