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MINUTES OF THE COUNCIL OF THE CITY OF TORONTO

MONDAY, SEPTEMBER 25, 2006,
TUESDAY, SEPTEMBER 26, 2006,
WEDNESDAY, SEPTEMBER 27, 2006 AND
THURSDAY, SEPTEMBER 28, 2006

City Council met in the Council Chamber, City Hall, Toronto.

CALL TO ORDER - 9:38 a.m.

- 12.1 Mayor Miller took the Chair and called the Members to order.

The meeting opened with *O Canada*.

12.2 **CONFIRMATION OF MINUTES**

Councillor Carroll, seconded by Councillor Del Grande, moved that the Minutes of the following meetings of Council be confirmed in the form supplied to the Members, which carried:

- regular meeting on July 25, 26 and 27, 2006; and
- special meeting on July 25, 2006.

PRESENTATION OF REPORTS

- 12.3 Councillor De Baeremaeker presented the following Reports for consideration by Council:

Deferred Clause from June 27, 28 and 29, 2006:

Toronto and East York Community Council Report 5, Clause 55b

Deferred Clauses from July 25, 26 and 27, 2006:

Administration Committee Report 5, Clause 26a
Toronto and East York Community Council Report 6, Clause 42a

New Committee Reports:

Policy and Finance Committee Report 7
Administration Committee Report 6
Community Services Committee Report 6
Economic Development and Parks Committee Report 6
Planning and Transportation Committee Report 6
Striking Committee Report 4
Works Committee Report 6

New Community Council Reports:

Etobicoke York Community Council Report 7
North York Community Council Report 7
Scarborough Community Council Report 7
Toronto and East York Community Council Report 7

and moved, seconded by Councillor Holyday, that Council now give consideration to such Reports, which carried.

- 12.4 Councillor De Baeremaeker, with the permission of Council, presented the following Reports for the consideration of Council:

Audit Committee Report 3; and
Toronto and East York Community Council Report 8

and moved, seconded by Councillor Holyday, that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived in connection with these Reports, and that Council now give consideration to the Reports, which carried, more than two-thirds of Members present having voted in the affirmative.

12.5 **DECLARATIONS OF INTEREST**

Councillor Augimeri declared her interest in Etobicoke York Community Council Report 7, Clause 24, headed “Refusal Report - 1465 Lawrence Avenue West Official Plan Amendment; Applicant: Adam Brown, Sherman Brown (Ward 12 - York South-Weston)”, in that her mother owns a condominium in the immediate area.

Deputy Mayor Bussin declared her interest in Policy and Finance Committee Report 7,

Clause 74, headed “Motel Strip Expropriation Proceedings - Gadzala Properties and Proudfoot Settlement Proposal (Ward 6 - Etobicoke-Lakeshore)”, in that she is in the process of purchasing a property in the immediate vicinity.

Councillor Cho declared his interest in Item (1), entitled “Preliminary Report Rezoning Application 06 154973 ESC 42 OZ Site Plan Control Application 06 154974 ESC 42 SA Yaqoob Ashraf Khan, Architect: Arsenault Architect Inc. 1795 Markham Road - Malvern Community (Ward 42 - Scarborough-Rouge River)”, contained in Scarborough Community Council Report 7, Clause 35, headed “Other Items Considered by the Community Council”, in that he is using this location as his campaign office.

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

- Policy and Finance Committee Report 7, Clause 11, headed “Request for Funding for an Energy Plan for Toronto; and Status Report on the Energy Plan for Toronto - Second Update (All Wards)”;
- Notice of Motion I(9), moved by Councillor Saundercook, seconded by Councillor Mihevc, respecting Toronto Hydro Purchases of Nuclear Power from the Ontario Power Generation Corporation; and
- Notice of Motion J(3), moved by Councillor Walker, seconded by Councillor Jenkins, respecting The Kyoto Protocol - Implement Environmental Measures.

Councillor Del Grande declared his interest in Scarborough Community Council Report 7, Clause 7, headed “Request for Approval of Variances from the Former City of Scarborough Sign By-law 22980, as amended, for the Erection of a Roof Mounted Non-accessory Sign at 3100 St. Clair Avenue East (Ward 35 - Scarborough Southwest)”, in that he received a small campaign contribution from the Company in question.

Deputy Mayor Feldman declared his interest in Scarborough Community Council Report 7, Clause 19, headed “Assumption of Services - Bridgenorth Equities (Scarborough) Inc., 1025 Kennedy Road (Ward 37 - Scarborough Centre)”, in that his son-in-law is the developer.

Councillor Li Preti declared his interest in Toronto and East York Community Council Report 8, Clause 15, headed “Revocation of Permit to Operate a Boulevard Café - Montreal Bread Company - rear of and opposite 100 Bloor Street West - Critchley Lane (Ward 27 - Toronto Centre-Rosedale)”, in that his daughter is a consultant with the subject company.

Councillor Mammoliti declared his interest in the following Clauses:

- Planning and Transportation Committee Report 6, Clause 9, headed “Extension of Interim Control By-law for the Castlefield Caledonia Design and Decor District Ward 15 – Eglinton-Lawrence and Ward 12 York South Weston”, in that his wife owns property in the area.
- Etobicoke York Community Council Report 7, Clause 4, headed “Draft By-law naming of Proposed Private Lane at 17 Frith Road as ‘Lambrinos Lane’ (Ward 7 - York West)”, in that his parents live in the immediate area.
- Etobicoke York Community Council, Report 7, Clause 7, headed “Request for Approval of Variances from Chapter 297 Signs, of the former City of Toronto Municipal Code 1169 St. Clair Avenue West (Ward 17 - Davenport)”, in that his wife owns a business in the area.
- Etobicoke York Community Council Report 7, Clause 31, headed “Part Lot Control Exemption; Applicant: Toula Nessinis, Marlston Consultants, South Side of Frith Road and a portion of the lands municipally known as 45 Bartel Drive (Ward 7 - Etobicoke-Lakeshore)”, in that his parents own property in the immediate area.

Councillor Mihevc declared his interest in Policy and Finance Committee Report 7, Clause 42, headed “2007 Funding Allocations for City of Toronto Homeless Initiatives Fund and Ministry of Community and Social Services Consolidated Homelessness Prevention Program”, in that his spouse works with the East York East Toronto Family Resource Centre.

Councillor Moscoe declared his interest in the following Clauses, in that his daughter is a part-time childcare worker employed by the City of Toronto:

- Community Services Committee Report 6, Clause 10, headed “Approval of Best Start Funds for Regent Park Child Care Centre”; and
- Community Services Committee Report 6, Clause 11, headed “Funding Required to Restore Phase II Capital Projects”.

Deputy Mayor Pantalone declared his interest in Toronto and East York Community Council Report 7, Clause 11, headed “Final Report - Official Plan Amendment and Rezoning Application, 204 Bloor Street West (Ward 20 - Trinity-Spadina)”, in that he has a property interest in the vicinity.

Councillor Shiner declared his interest in the following Clauses:

- Planning and Transportation Committee Report 6, Clause 3, headed “Amendments to the *Ontario Heritage Act* Regarding Demolition of ‘Listed’ Heritage Properties, Confirmation of the Status of Existing ‘Listed’ Heritage Properties and Delegation of Authority to Staff to Agree to Extend Time Limits for Certain Council Decisions under the *Ontario Heritage Act*”, in that his family owns property which is being considered for a heritage designation.

- Item (a), entitled “Intention to Designate under Part IV of the *Ontario Heritage Act*, Approval of Alterations to a Heritage Building and Authority to Enter into a Heritage Easement Agreement – 570 King Street West (Toronto Silver Plate Building) (Ward 20 – Trinity-Spadina)”, contained in Toronto and East York Community Council Report 7, Clause 127, headed “Other Items Considered by the Community Council, in that his family owns property which is being considered for a heritage designation.
- Toronto and East York Community Council Report 8, Clause 1, headed “Final Report - King Spadina Secondary Plan Review (Ward 20 - Trinity-Spadina)”, in that his family owns property in the immediate area.

Councillor Silva declared his interest in Administration Committee Report 6, Clause 3, headed “Contracts for City Advertising in Media Venues and Daily Ethnic and Community Newspapers”, in that he works for CHIN Radio.

Councillor Walker declared his interest in Notice of Motion J(32), moved by Councillor Pitfield, seconded by Councillor Stintz, respecting the City of Toronto Appointment to the Toronto Port Authority, in that his daughter is an employee of the Toronto Port Authority.

CONSIDERATION OF REPORTS CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

12.6 The following Clauses were held by Council for further consideration:

Toronto and East York Community Council Report 5, Clause 55b

Administration Committee Report 5, Clause 26a

Toronto and East York Community Council Report 6, Clause 42a

Policy and Finance Committee Report 7, Clauses 1, 2, 3, 5, 7, 12, 13, 14, 15, 17, 21, 22, 23, 24, 25, 26, 30, 35, 37, 52, 56, 60, 71, 72, 74, 76, 77, 79, 80 and 82

Administration Committee Report 6, Clauses 1, 3, 6, 7, 14, 17, 18, 27, 36, 39, 40, 42, 43, 44 and 45

Audit Committee Report 3, Clause 2

Community Services Committee Report 6, Clause 3

Economic Development and Parks Committee Report 6, Clauses 1, 2, 8, 12, 16, 17, 19 and 22

Planning and Transportation Committee Report 6, Clauses 2, 5, 8, 12, 13, 15, 16, 18, 23, 24 and 25

Striking Committee Report 4, Clause 1

Works Committee Report 6, Clauses 1, 4, 5, 8, 9, 14, 17, 21, 22, 36, 38, 39 and 40

Etobicoke York Community Council Report 7, Clauses 3, 8, 13, 17, 18, 19, 22, 24, 29, 35, 36, 44 and 83

North York Community Council Report 7, Clauses 23, 25, 28, 37, 45, 70, 78, 86, 89 and 90

Scarborough Community Council Report 7, Clauses 3, 4 and 16

Toronto and East York Community Council Report 7, Clauses 1, 11, 13, 15, 16, 17, 19, 24, 27, 28, 30, 31, 35, 38, 59, 60, 61, 62, 63, 64, 65, 66, 68, 70, 74, 102 and 123

Toronto and East York Community Council Report 8, Clauses 1, 26, 37, 40, 41 and 42

The following Clauses which were held by Council for further consideration were subsequently adopted without amendment or further discussion:

Policy and Finance Committee Report 7, Clauses 1, 7, 14, 15, 22, 30, 49, 60, 71, 72, 76, 77 and 79

Administration Committee Report 6, Clauses 1, 6, 7, 14, 18, 36, 40 and 42

Audit Committee Report 3, Clause 2

Community Services Committee Report 6, Clause 3

Economic Development and Parks Committee Report 6, Clauses 1, 8 and 19

Planning and Transportation Committee Report 6, Clauses 2, 8 and 12

Works Committee Report 6, Clauses 4, 8, 9, 14, 21, 36, 38 and 40

Etobicoke York Community Council Report 7, Clauses 3 and 44

North York Community Council Report 7, Clauses 23, 25, 28 and 70

Toronto and East York Community Council Report 7, Clauses 11, 15 and 16

The Clauses not held by Council for further consideration were deemed to have been adopted by Council, without amendment, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code.

The following Clauses were re-opened for further consideration and subsequently amended:

Works Committee Report 6, Clause 7 (See Minute 12.54, Page 40)

Works Committee Report 6, Clause 18 (See Minute 12.51, Page 37)

Toronto and East York Community Council Report 7, Clause 55 (See Minute 12.24, Page 14)

The following Clauses were re-opened for further consideration and subsequently adopted without amendment or further discussion:

Policy and Finance Committee Report 7, Clause 49 (See Minute 12.42, Page 30)

Toronto and East York Community Council Report 8, Clause 12 (See Minute 12.20, Page 12)

CONSIDERATION OF REPORTS CLAUSES WITH MOTIONS, VOTES, ETC.

12.7 Policy and Finance Committee Report 7, Clause 17, headed “Association of Community Centres (AOCCs), City of Toronto Relationship Framework”.

Motion:

Councillor Rae moved that the Clause be amended by amending Article 4.1.9 of the Relationship Framework for the City of Toronto and the Boards of Management for Community Centres to now read as follows:

“The City Manager is required to report on major proposed changes to the catchment area or changes to the catchment area that will have material financial impacts on the administrative funding of the community centre to Council. A change in catchment area resulting in a 10 percent increase or decrease in the catchment population will require Council approval.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

12.8 Planning and Transportation Committee Report 6, Clause 16, headed “Proposed Amendments to the City of Toronto Municipal Code Chapter 545 Licensing Regarding Hours of Operation for Body Rub Parlours”.

Motion:

Councillor Filion moved that the Clause be amended by deleting Part (2) of the recommendation of the Planning and Transportation Committee, as it is redundant given that the confidential report (July 20, 2006) from the City Solicitor was adopted by City Council on July 25, 26 and 27, 2006, by its adoption of Motion J(43).

Votes:

The motion by Councillor Filion carried.

The Clause, as amended, carried.

12.9 Works Committee Report 6, Clause 39, headed “Don and Waterfront Interceptor Trunk Capacity and CSO Control Project (Wards 19, 20, 26, 27, 28, 29, 30, 31, 32 and 35)”.

Motion:

Mayor Miller, with the permission of Council, moved that the Clause be amended in accordance with the following recommendation of the Policy and Finance Committee, contained in the communication (September 18, 2006) from the Committee:

“The Policy and Finance Committee recommends that City Council refer the following Recommendation (d) of the Works Committee respecting intergovernmental relations, to the City Manager for consideration in consultation with the Mayor’s Office:

‘(d) the City of Toronto seek funding for the Environmental Assessment from other orders of government.’ ”

Votes:

The motion by Mayor Miller carried.

The Clause, as amended, carried.

12.10 Toronto and East York Community Council Report 7, Clause 59, headed “Proposed Installation of Speed Bumps in Public Lane System – Bloor Street West, Margueretta Street, College Street and St. Clarens Avenue (Ward 18 - Davenport)”.

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

- 12.11 **Toronto and East York Community Council Report 7, Clause 60, headed “Request for Installation of Speed Humps - Beaconsfield Avenue, between Queen Street West and Afton Avenue (Ward 18 - Davenport)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

- 12.12 **Toronto and East York Community Council Report 7, Clause 61, headed “Request for Installation of Speed Humps - Foxley Street, between Ossington Avenue and Dovercourt Road (Ward 19 - Trinity-Spadina)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

- 12.13 **Toronto and East York Community Council Report 7, Clause 62, headed “Request for Installation of Speed Humps - Hallam Street, between Ossington Avenue and Shaw Street (Ward 19 - Trinity-Spadina)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

- 12.14 **Toronto and East York Community Council Report 7, Clause 63, headed “Request for Installation of Speed Humps - Ellsworth Avenue between Vaughan Road and Christie Street (Ward 21 - St. Paul’s)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

- 12.15 **Toronto and East York Community Council Report 7, Clause 64, headed “Request for Installation of Speed Humps - Howland Avenue between Bridgman Avenue and Davenport Road (Ward 21 - St. Paul’s)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

- 12.16 **Toronto and East York Community Council Report 7, Clause 65, headed “Evaluation for the Installation of Speed Humps - Main Street, between Lumsden Avenue and Hamstead Avenue (Ward 31 - Beaches-East York)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

- 12.17 **Toronto and East York Community Council Report 7, Clause 66, headed “Evaluation for the Installation of Speed Humps - Coleman Avenue, between Barrington Avenue and Dawes Road (Ward 31 - Beaches-East York)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

- 12.18 **Toronto and East York Community Council Report 8, Clause 41, headed “Proposed Installation of Speed Humps - Northern Dancer Boulevard, between Lake Shore Boulevard East and Queen Street East (Ward 32 Beaches-East York)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of this meeting.

12.19 Toronto and East York Community Council Report 7, Clause 27, headed “Request for Direction Report - Site Plan Approval Application and Removal of Eleven and Injury of Three Privately Owned Trees – 1250 Bayview Avenue – Mount Pleasant Cemetery (Ward 22 - St. Paul’s)”.

Motion:

Councillor Rae moved that the Clause be amended by adding the following:

“That City Council seek party status in the Superior Court action brought by Humfrey’s Funeral Home scheduled for January 2007.”

Votes:

The motion by Councillor Rae carried.

Adoption of Clause, as amended:

Yes - 41	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 2	
Councillors:	Kelly, Saundercook

Carried by a majority of 39.

September 27, 2006:

Deputy Mayor Bussin in the Chair.

Motion to Re-Open:

Councillor Rae, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further

consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Rae moved that:

- (1) the previous action taken by City Council on September 25, 2006, with respect to this Clause, be rescinded; and
- (2) the Clause be amended by adding the following:

“That Council approve a grant in an amount up to \$70,000.00 to permit the residents to retain a lawyer to participate in the court application, and that such grant be declared to be in the interest of the Municipality and funded from under-expenditures in the Legal Division’s 2006 Operating Budget.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

Mayor Miller in the Chair.

12.20 Toronto and East York Community Council Report 8, Clause 12, headed “Revocation of Permit to Operate a Boulevard Café - Buddha Bar 612 College Street (Ward 19 - Trinity-Spadina)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Deputy Mayor Pantalone, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

The Clause was adopted, without amendment.

12.21 Toronto and East York Community Council Report 6, Clause 42a, headed “Evaluation

for the Installation of Speed Humps - Redwood Avenue, between Gerrard Street East and Walpole Avenue (Ward 30 - Toronto-Danforth)”.

Vote:

Adoption of the Clause, without amendment:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Saundercook, Silva, Walker, Watson
No - 7	
Councillors:	Augimeri, Del Grande, Ford, Holyday, Kelly, Pitfield, Shiner

Carried by a majority of 22.

12.22 Planning and Transportation Committee Report 6, Clause 13, headed “Noise from Loudspeakers and Other Devices Intended for the Amplification of Sound”.

Motion:

Councillor Rae moved that the Clause be amended by adding the following:

“That the Executive Director, Municipal Licensing and Standards be directed to report to the Licensing and Standards Committee on potential amendments to Chapter 591 of the Toronto Municipal Code to address noise from modified muffling devices installed on motor vehicles, including the possibility of providing a maximum acceptable decibel level for such devices.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

12.23 North York Community Council Report 7, Clause 45, headed “Turn Restrictions - Lord Seaton Road and Yonge Street (Ward 25 - Don Valley West)”.

Motion:

Councillor Jenkins moved that the Clause be amended by inserting in Recommendation (1) contained in the report (August 3, 2006) from the Director, Transportation Services, North York District, the words “at Yonge Street and Lord Seaton Road”, after the word “display”, so that Recommendation (1), now reads as follows:

“(1) northbound right turns be prohibited on a red signal display at Yonge Street and Lord Seaton Road, between the hours of 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and 6:00 p.m., Monday to Friday; and”.

Votes:

The motion by Councillor Jenkins carried.

The Clause, as amended, carried.

12.24 Toronto and East York Community Council Report 7, Clause 55, headed “Temporary Road Occupation to Accommodate Construction Staging Area - 25 York Street (Ward 28 - Toronto Centre-Rosedale)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor McConnell, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor McConnell moved that the Clause be amended by adding the following:

“That Council adopt the staff recommendation contained in the Recommendations Section of the confidential report (September 20, 2006) from the City Solicitor.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

September 26, 2006:

Motion to Re-Open:

Councillor McConnell, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor McConnell moved that the previous action taken by Council on September 25, 2006, with respect to this Clause, be rescinded, and that the Clause be adopted, without amendment.

Votes:

The motion by Councillor McConnell carried.

The Clause was adopted, without amendment.

12.25 Planning and Transportation Committee Report 6, Clause 23, headed “Scarborough RT Strategic Plan”.

Motion:

Councillor Thomson moved that the Clause be amended by adding the following:

“That the document, entitled ‘Replacement of the Scarborough Rapid Transit (SRT) System - Scarborough Councillors’ Position’, be appended to the Clause.”

Votes:

The motion by Councillor Thompson carried.

The Clause, as amended, carried.

12.26 Etobicoke York Community Council Report 7, Clause 19, headed “Final Report - Official Plan Amendment and Rezoning Application; Applicant: Zelinka Priamo Limited; 1561 and 1563 The Queensway and 76 Fordhouse Drive (Ward 5 - Etobicoke -Lakeshore)”.

Motion:

Councillor Milczyn moved that the Clause be amended in accordance with the following motion:

“WHEREAS City Planning staff and the zoning examiner have identified certain changes to the draft zoning by-law set out in the Final Report dated August 28, 2006, which are necessary to permit the proposed development;

NOW THEREFORE BE IT RESOLVED THAT the draft zoning by-law in the Final Report dated August 28, 2006 be amended as follows:

- (i) a new subsection 2(b) is added to read: ‘No building or structure within the Lands shall be located other than within the Building Envelopes shown on Schedule “B.” ’ and the subsequent subsections then be re-lettered accordingly;
- (ii) in subsection 2(c) the words ‘not be more’ shall be changed to ‘not be less’;
- (iii) in subsection 2(d) the maximum lot coverage be changed from ‘28 percent’ to ‘30 percent’;
- (iv) in subsection 2(g) the maximum driveway entrance width from The Queensway shall be increased from ‘10.8 metres’ to ‘11.0 metres’, excluding corner radii;
- (v) subsection 2(l) is amended to read: ‘The minimum building setback from Fordhouse Boulevard shall be 0.0 metres if Fordhouse Boulevard is extended the full width of the south end of the property’;
- (vi) subsection 2(m) is amended to read: ‘any parking space which needs to be eliminated as a result of Fordhouse Boulevard being extended the full width of the south end of the property shall be excluded from the minimum parking space requirements of this By-law’;
- (vii) a new subsection 2(n) is added to read: ‘If Fordhouse Boulevard is extended the full width of the south end of the property, the driveway entrances from Fordhouse Boulevard shall not exceed 15.0 metres in width, excluding corner radii’;
- (viii) in Section 3, the definition of ‘Service Uses’ is amended to read: ‘Service Uses’ means uses such as Personal Service Shops, Pet Services and Service Shops’;
- (ix) in Section 3, the following definitions are added: ‘Personal Service Shops’ means premises in which services with respect to grooming of persons or the care of their apparel are provided; ‘Pet Services’ means premises used for care or grooming of domestic animals, other than a veterinary hospital or a boarding kennel; ‘Service Shops’ means premises used for servicing, repairing or refurbishing goods or commodities, other than vehicles. Service uses shall

exclude Vehicular Service Shop; 'Lands' means the lands described in Schedule 'A' attached hereto, and for the purposes of this By-law shall be based on the Lands prior to land dedications and conveyances for municipal purposes;

AND BE IT FURTHER RESOLVED THAT the recommendations of the said Final Report, subject to the draft zoning by-law being amended in accordance with the above noted changes, be adopted;

AND BE IF FURTHER RESOLVED THAT City Council pursuant to Section 34(17) of the *Planning Act* hereby determines no further notice to the public is required of the changes to the draft zoning by-law noted herein.”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

12.27 Policy and Finance Committee Report 7, Clause 74, headed “Motel Strip Expropriation Proceedings - Gadzala Properties and Proudfoot Settlement Proposal (Ward 6 - Etobicoke-Lakeshore)”.

Motion:

Councillor Grimes moved that the Clause be amended by adding the following:

“That the Deputy City Manager and Chief Financial Officer, in consultation with the General Managers of Transportation Services, Toronto Water and Parks, Forestry and Recreation, report to the new General Government Committee, early in 2007, on funding of land acquisitions and expropriations in the Motel Strip/Humber Bay Shores area.”

Votes:

The motion by Councillor Grimes carried.

The Clause, as amended, carried.

12.28 Planning and Transportation Committee Report 6, Clause 24, headed “Gardiner Expressway – Request for Reports”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Minnan-Wong, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 24	
Councillors:	Ainslie, Ashton, Augimeri, Barron, Del Grande, Feldman, Grimes, Holyday, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 16	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Giambrone, Hall, Jenkins, McConnell, Mihevc, Moscoe, Pantalone, Rae

Lost, less than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Pantalone in the Chair.

12.29 Policy and Finance Committee Report 7, Clause 13, headed “Toronto Transit Commission - Procurement Authorization - 39 New Subway Trains - Proposal P31PD05761”.

Motion:

- (a) Councillor Minnan-Wong moved that:
- (1) the funding for the 39 trainsets not be approved at this time; and
 - (2) the Clause be referred to the Toronto Transit Commission with a request that the Commission engage in a competitive bid process for the procurement of 39 new subway trains and that these subway trains contain 60 percent Canadian content.

Mayor Miller in the Chair.

Ruling by Mayor:

Mayor Miller ruled the following portion of motion (a) by Councillor Minnan-Wong out of order as it does not relate directly to the Clause under consideration:

“and that these subway trains contain 60 percent Canadian content”.

Vote on Referral:

Adoption of the balance of motion (a) by Councillor Minnan-Wong:

Yes - 17 Councillors:	Ainslie, Feldman, Holyday, Jenkins, Kelly, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 26 Mayor: Councillors:	Miller Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fillion, Fletcher, Giambrone, Grimes, Hall, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Rae, Saundercook

Lost by a majority of 9.

Motion:

(b) Councillor Thompson moved that the Clause be amended by adding the following:

“That City Council request the Province of Ontario to waive the provincial sales tax for the purchase of these new subway trains.”

Votes:

Adoption of motion (b) by Councillor Thomspson:

Yes - 43 Mayor: Councillors:	Miller Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

Adoption of the Clause, as amended:

Yes - 25	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Li Preti, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone, Rae, Saundercook, Silva
No - 18	
Councillors:	Ainslie, Del Grande, Feldman, Holyday, Jenkins, Kelly, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Shiner, Soknacki, Stintz, Thompson, Walker, Watson

Carried by a majority of 7.

Summary:

Council amended this Clause by adding the following:

“That City Council request the Province of Ontario to waive the provincial sales tax for the purchase of these new subway trains.”

Deputy Mayor Pantalone in the Chair.

12.30 Toronto and East York Community Council Report 7, Clause 102, headed “Request to Install a Pedestrian Crossover - Elizabeth Street, between Dundas Street West and Edward Street (Ward 27 - Toronto Centre -Rosedale)”.

Motion:

Councillor Rae moved that the Clause be referred to the General Manager, Transportation Services, in consultation with the Toronto Transit Commission, to find a permanent solution and report to the Toronto and East York Community Council in January 2007.

Vote on Referral:

The motion by Councillor Rae carried.

12.31 Policy and Finance Committee Report 7, Clause 80, headed “Festival Management Committee Report on a ‘Governance Structure for the 2007 Carnival Festival’ and 2006 Festival Audit”.

The Clause was submitted without recommendation.

Motion:

Councillor Mihevc moved that Council adopt the following staff recommendations in the

Recommendations Section of the report (September 22, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) (a) the City provide a line of credit guarantee on behalf of the Toronto Caribbean Carnival Festival (TCCF) to its financial institution in the amount of \$100,000.00 (inclusive of all interest payable by TCCF) for a five month period commencing on October 1, 2006 and ending February 28, 2007;
- (b) the City enter into an agreement with TCCF with respect to the line of credit guarantee; and
- (c) the City enter into a tri-party agreement with TCCF and with its financial institutions with respect to the line of credit guarantee;
- (2) such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor and Deputy City Manager Sue Corke, and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest;
- (3) the City retain the right to withhold a portion of the TCCF’s 2007 investment to pay off the line of credit if it is not retired by March 1, 2007 and to receive TCCF’s 2006 audited financial statements;
- (4) the guarantee be deemed to be in the interest of the Municipality; and
- (5) the appropriate officials be authorized to take the necessary action to give effect thereto.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

12.32 Economic Development and Parks Committee Report 6, Clause 2, headed “Canada’s Walk of Fame - Results from Design Competition (Ward 20 Trinity-Spadina)”.

Motion:

Councillor Thompson moved that the Clause be amended by adding the following:

“That staff from the Tourism Section of the Economic Development, Culture and Tourism Division meet with Scarborough Walk of Fame staff to discuss opportunities for co-operation on activities, and that the General Manager, Economic Development, Culture and Tourism report on these opportunities to the first meeting of the Economic Development Committee.”

Votes:

The motion by Councillor Thompson carried.

The Clause, as amended, carried.

12.33 Planning and Transportation Committee Report 6, Clause 18, headed “Access and Routine Disclosure of Building Plans”.

Motion:

Councillor Jenkins moved that the Clause be amended in accordance with the staff recommendations contained in the Recommendations Sections of the supplementary report (September 20, 2006) from the Chief Building Official and the Executive Director, Building Division and the Director, Corporate Access and Privacy, City Clerk’s Office, subject to amending Recommendation (2), so that the recommendations, as amended, now read as follows:

“It is recommended that City Council:

- (1) delete Recommendations (3) and (4) [of the Planning and Transportation Committee] contained in Clause 18, Report 6 of the Planning and Transportation Committee; and
- (2) endorse the Building Division’s revised Policy on Access to Building Plans, as outlined in this report, subject to amending Provision (2)(c) to now read as follows:

‘(2)(c) If no objection is received by registered mail within 21 days of filing of the application, access to such plans will be provided upon request during the time period mentioned above.’ ”

Votes:

The motion by Councillor Jenkins carried.

The Clause, as amended, carried.

12.34 Toronto and East York Community Council Report 7, Clause 13, headed “Final Report - Official Plan and Zoning By-law Amendment Application - 155 Dan Leckie Way and 170 Fort York Boulevard (Ward 20 - Trinity -Spadina)”.

Motion:

Councillor Silva moved that the Clause be amended in accordance with the following staff recommendations contained in the supplementary report (September 21, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that Council:

- (1) require any market housing component of development that occurs on Blocks 32 and 36 in the Railway Lands West be subject to a \$533.00 per residential unit contribution to park improvements in the Railway Lands West;
- (2) require any market housing component of development that occurs on Blocks 32 and 36 in the Railway Lands West be subject to a \$470.00 per residential unit contribution to daycare in the Railway Lands West;
- (3) require any market housing component of development that occurs on Blocks 32 and 36 in the Railway Lands West be subject to a \$325.00 per residential unit contribution towards community facilities in the Railway Lands West;
- (4) require that all payments are recommended to be indexed twice annually, in accordance with any change in the Statistics Canada Quarterly, Capital Expenditure Price Statistics; and
- (5) direct the City Solicitor to include these contributions in the Precinct Agreement that will be executed to for Blocks 32 and 36 in the Railway Lands West.”

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

12.35 Toronto and East York Community Council Report 7, Clause 31, headed “Inclusion on the City of Toronto Inventory of Heritage Properties 215 Lonsdale (Etta Flick House) (Ward 22 - St. Paul’s)”.

The Clause was submitted without recommendation.

Motion:

Councillor Walker moved that Council adopt the staff recommendations contained in the Recommendations Section of the report (July 19, 2006) from the Director, Policy and Research, City Planning [as contained in the Clause].

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

12.36 Toronto and East York Community Council Report 8, Clause 26, headed “Status Report - 609 Avenue Road (Ward 22 - St. Paul’s)”.

The Clause was submitted without recommendation.

Motion:

Councillor Walker moved that Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (September 25, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

- (1) direct the City Solicitor to advise the Ontario Municipal Board (the OMB) that the City of Toronto requests the OMB to refuse the applications to amend the Official Plan and Zoning By-law (05 193926 STE 22 SA) and the associated site plan application respecting the construction of a 17-storey residential condominium building in their current form;
- (2) instruct the City Solicitor to request the OMB to impose conditions under Section 37 of the *Planning Act*, in accordance with the policies of the Official Plan, to secure appropriate community benefits in the event the OMB approves a form of development as proposed by the applicant; and
- (3) authorize the City Solicitor, the Chief Planner and Executive Director, City Planning Division and any other appropriate staff to appear at the OMB hearing in support of the City’s position as set out in Recommendations (1) and (2) of this report.”

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

12.37 Etobicoke York Community Council Report 7, Clause 13, headed “Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 263 Windermere Avenue (Ward 13 - Parkdale -High Park)”.

The Clause was submitted without recommendation.

Motion:

Councillor Saundercook moved that Council adopt the following:

“That:

- (1) Council receive the staff recommendation contained in the Recommendation Section of the report (August 7, 2006) from the Director, Transportation Services, Etobicoke York District; and
- (2) the request for an exemption to the former City of Toronto Municipal Code for Front Yard Parking at 263 Windermere Avenue be granted with the following conditions:
 - (a) the front yard parking pad must provide a minimum width of 2.6 metres and a minimum length of 5.5 metres;
 - (b) the applicant pays all applicable fees and complies with all other criteria described in the former City of Toronto Municipal Code;
 - (c) the applicant paves the front yard parking pad with semi-permeable materials such as ecostone pavers, interlocking pavers or an equivalent treatment that is acceptable to the General Manager;
 - (d) the applicant plants a tree in their front yard or funds the planting of a tree in the neighbourhood and complies with any requirements from Parks and Recreation, Forestry Division relating to the protection, removal and/or relocation of any existing trees located in the front yard of the property or within the Windermere Avenue right-of-way;
 - (e) the existing on-street parking permit issued to this address is cancelled following construction of the front yard parking pad; and
 - (f) the applicant satisfies these conditions at no expense to the Municipality.”

Votes:

The motion by Councillor Saundercook carried.

The Clause, as amended, carried.

12.38 Etobicoke York Community Council Report 7, Clause 29, headed “Part Lot Control Exemption; Applicant: Sase Naraine Ramsamooj - P. Salna Co. Ltd., 975 The Queensway (Ward 5 - Etobicoke-Lakeshore)”.

The Clause was submitted without recommendation.

Motion:

Councillor Milczyn moved that Council adopt the staff recommendations contained in the Recommendations Section of the report (August 22, 2006) from the Director, Community Planning, Etobicoke York District [as contained in the Clause].

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

12.39 Toronto and East York Community Council Report 7, Clause 123, headed “Commercial Heritage Conservation District Queen Street East, from the Don River, east to Degrossi Street (Ward 30 - Toronto-Danforth)”.

The Clause was submitted without recommendation.

Motion:

Councillor Fletcher moved that Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (September 25, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

- (1) City Council pass a by-law pursuant to Part V of the *Ontario Heritage Act* identifying the area shown in Attachment No. 1 of this report as the Queen Street East Heritage Conservation District Study Area; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Votes:

The motion by Councillor Fletcher carried.

The Clause, as amended, carried.

12.40 **Policy and Finance Committee Report 7, Clause 2, headed “Policy and Processes for Public Appointments to City Agencies, Boards, Commissions and Corporations and Nominations to External Special Purpose Bodies”.**

Motions:

(a) Councillor Lindsay Luby moved that the Clause be amended:

- (1) by deleting from Appendix D.4, respecting the Hummingbird Centre for the Performing Arts, the words “Executive Director of Culture”, where they appear in the first paragraph, and replacing them with the words “Executive Directors of Tourism and Culture”, so that the paragraph now reads as follows:

“The Hummingbird Centre Nominating Panel is composed of the 3 Councillors on the Hummingbird Centre Board, plus the General Manager of Economic Development, Culture and Tourism, and the Executive Directors of Tourism and Culture. The Nominating Panel may be assisted by the City Manager, Diversity Management and Community Engagement, the General Manager of Economic Development, Culture and Tourism, and Hummingbird’s Chief Executive Officer or their designates.”;

- (2) in accordance with the following staff recommendation contained in the Recommendations Section of the supplementary report (September 22, 2006) from the City Manager:

“It is recommended that the portion of Recommendation (10)(a) in the September 1, 2006, report of the City Manager requesting a change in legislation around the timing of appointments to the Library Board be deleted, so that Recommendation (10)(a) would now read as follows:

“(10)(a) the City Manager request the Province of Ontario to amend the *Public Libraries Act* to eliminate the requirement for Canadian citizenship on the Toronto Public Library Board, and permit the City of Toronto to determine board eligibility;”.

(b) Councillor Shiner moved that the Clause be amended by adding the following:

“That:

- (1) the Community Councils and the Civic Appointments Committee proceed with the selection of Committee of Adjustment members as a first priority for citizen appointments; and
- (2) the Auditor General's report respecting the North York Committee of Adjustment's review of certain applications be submitted to City Council at the first regular meeting in the new term."

Votes:

Part (1) of motion (a) by Councillor Lindsay Luby carried.

Adoption of Part (2) of motion (a) by Councillor Lindsay Luby:

Yes - 30 Councillors: Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Walker, Watson
No - 9 Councillors: Del Grande, Hall, Holyday, Kelly, Nunziata, Ootes, Palacio, Saundercook, Stintz

Carried by a majority of 21.

Motion (b) by Councillor Shiner carried.

The Clause, as amended, carried.

12.41 Policy and Finance Committee Report 7, Clause 23, headed "Confidential Information in Staff Reports".

Motion:

- (a) Councillor Shiner moved that the Clause be amended by adding the following:

"That any and all confidential information related to Green Lane Landfill that may be in the Mayor's Office, be returned to the City Clerk, so that the Mayor's Office is treated in a similar manner as other Members of Council."

Ruling by Deputy Mayor:

Deputy Mayor Pantalone ruled motion (a) by Councillor Shiner out of order, as the Green Lane Landfill matter is not related to the Clause under consideration.

Councillor Shiner challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of the Deputy Mayor:

Yes - 16	Councillors: Augimeri, Barron, Carroll, Cowbourne, De Baeremaeker, Filion, Giambrone, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Silva
No - 14	Councillors: Ainslie, Feldman, Ford, Holyday, Minnan-Wong, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Stintz, Thompson, Walker, Watson

Carried by a majority of 2.

Motions:

(b) Councillor Del Grande moved that the Clause be amended by adding the following:

“That the City Clerk be directed to provide an electronic copy of those reports that were initially confidential, but which have been vetted by staff and can now be made public.”

(c) Councillor Hall moved that motion (a) by Councillor Del Grande be referred to the City Clerk for a report to the Executive Committee for its meeting in January 2007.

Votes:

Adoption of motion (c) by Councillor Hall:

Yes - 17	Councillors: Ashton, Cho, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Hall, Holyday, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Silva, Soknacki
No - 16	Councillors: Ainslie, Augimeri, Bussin, Carroll, Del Grande, Jenkins, Kelly, Milczyn, Nunziata, Ootes, Palacio, Rae, Saundercook, Stintz, Walker, Watson

Carried by a majority of 1.

Due to the above decision of Council, motion (b) by Councillor Del Grande was not put to a vote.

The Clause, as amended, carried.

Summary:

Council amended this Clause by adding the following:

“That the following motion be referred to the City Clerk for a report to the Executive Committee for its meeting in January 2007:

Moved by Councillor Del Grande:

‘That the City Clerk be directed to provide an electronic copy of those reports that were initially confidential, but which have been vetted by staff and can now be made public.’ ”

Mayor Miller in the Chair.

12.42 Policy and Finance Committee Report 7, Clause 49, headed “Implementation Date of the ‘Harmonized Short-term Disability Plan - Management and Non-Union Employees’ for Councillors’ Staff”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Watson, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Barron, Carroll, Cho, Cowbourne, De Baeremaeker, Del Grande, Feldman, Fletcher, Ford, Holyday, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Rae, Saundercook, Silva, Thompson, Walker, Watson
No - 6	
Councillors:	Bussin, Davis, Di Giorgio, Giambrone, Li Preti, Pantalone

Carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

The Clause was adopted, without amendment.

- 12.43 **Toronto and East York Community Council Report 7, Clause 30, headed “Inclusion on the City of Toronto Inventory of Heritage Properties and Intention to Designate under Part IV of the *Ontario Heritage Act* - 285 Spadina Avenue (Standard Theatre) (Ward 20 - Trinity-Spadina)”.**

Motion:

Councillor Silva moved that the Clause be referred back to the Toronto and East York Community Council for consideration at its first regular meeting in 2007.

Vote on Referral:

The motion by Councillor Silva carried.

- 12.44 **Toronto and East York Community Council Report 7, Clause 68, headed “Construction of a Lay-by and a Disabled Persons Loading Zone - Bloor Street West, south side, west of Queen’s Park/Avenue Road (Ward 20 - Trinity-Spadina)”.**

The Clause was submitted without recommendation.

Motion:

Councillor Silva moved that Council adopt the staff recommendations contained in the Recommendations Section of the report (August 24, 2006) from the Director, Transportation Services, Toronto and East York District [as contained in the Clause].

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

- 12.45 **Toronto and East York Community Council Report 5, Clause 55b, headed “Evaluation for the Installation of Speed Humps - First Avenue, between Broadview Avenue and Logan Avenue (Ward 30 - Toronto-Danforth)”.**

Motion:

Councillor Fletcher moved that the Clause be referred to the General Manager, Transportation Services, for a report to the first meeting of the Toronto and East York Community Council in

2007, on the possibilities for traffic calming on First Avenue at the Logan Avenue intersection.

Vote on Referral:

The motion by Councillor Fletcher carried.

12.46 Policy and Finance Committee Report 7, Clause 24, headed “Phase Two Implementation of the Policy on City-Owned Space Provided at Below-Market Rent (All Wards)”.

Motion:

(a) Councillor Del Grande moved that the Clause be amended by adding the following:

“That Deputy City Manager Sue Corke be requested to submit a report to the appropriate Committee in 2007, providing a full and comprehensive list of all properties where City-owned space is provided at below-market rent.”

Votes:

Motion (a) by Councillor Del Grande carried.

The Clause, as amended, carried.

September 27, 2006:

Motion to Re-Open:

Councillor Davis, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

(b) Councillor Davis moved that the Clause be further amended by adding to Recommendation (2) in the report (September 1, 2006) from the Executive Director, Social Development, Finance and Administration, the words “subject to variation by the City Solicitor, as she deems appropriate”, so that Recommendation (2) now reads as follows:

“(2) the lease terms and conditions for tenants of City-Owned Space at Below-Market Rent, as presented in Appendix E, be approved, subject to variation by the City Solicitor, as she deems appropriate;”.

Votes:

Motion (b) by Councillor Davis carried.

The Clause, as further amended, carried.

Deputy Mayor Feldman in the Chair.

12.47 Policy and Finance Committee Report 7, Clause 21, headed “Long Term Sub-Lease of 400 Kipling Avenue to Lakeshore Lions Arena Inc. and Capital Loan Guarantee (Ward 6 - Etobicoke-Lakeshore)”.

Motions:

- (a) Councillor Del Grande moved that the Clause be amended by deleting the recommendations of the Policy and Finance Committee, and that Council adopt the following instead:

“That the City issue:

- (1) a Request for an Expression of Interest for ice rinks on this property;
and
(2) a Request for Proposal for a Long Term Sub-Lease of 400 Kipling Avenue.”

- (b) Councillor Saundercook moved that the Clause be amended by adding the following:

“That the General Manager, Parks, Forestry and Recreation be requested to report to the Community Development and Recreation Committee on the feasibility of adding an outdoor rink to existing indoor rinks in order to make the operation more efficient across the City.”

- (c) Councillor Walker moved that the Clause be referred to the first meeting of the Community Development and Recreation Committee for further consideration, with a request that all interested parties be invited to attend the meeting to comment on this proposal, as well as on any other proposal that may come forward.

Vote Be Now Taken:

Councillor Mammoliti moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote on motion (c) by Councillor Walker be now taken, the vote upon which was taken as follows:

Yes - 28 Councillors: Augimeri, Barron, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Feldman, Filion, Giambrone, Grimes, Hall, Li Preti, Lindsay Luby, Mammoliti, McConnell,

Mihevc, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Thompson
No - 9 Councillors: Ainslie, Del Grande, Holyday, Kelly, Milczyn, Ootes, Stintz, Walker, Watson

Carried, more than two-thirds of Members present having voted in the affirmative.

Vote on Referral:

Adoption of motion (c) by Councillor Walker:

Yes - 4 Councillors: Del Grande, Hall, Pitfield, Walker
No - 35 Councillors: Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Giambrone, Grimes, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Stintz, Thompson, Watson

Lost by a majority of 31.

Permission to Withdraw Motion:

Councillor Saundercook, with the permission of Council, withdrew his motion (b).

Mayor Miller in the Chair.

Motion:

(d) Councillor Grimes moved that the Clause be amended by adding the following:

“That the General Manager, Parks, Forestry and Recreation, in consultation with TEDCO, Toronto Fire Services, Toronto Emergency Medical Services, the Toronto Public Library, and the Toronto School Boards, be requested to investigate multi-pad facilities and report to the Community Development and Recreation Committee, and Council, on a long-term strategy to replace the City’s aging arena infrastructure and on such multi-pad facilities.”

Ruling by Mayor:

Mayor Miller ruled motion (d) by Councillor Grimes out of order as it does not relate specifically to the Clause under consideration.

Votes:

Adoption of motion (a) by Councillor Del Grande:

Yes - 5 Councillors:	Del Grande, Ford, Hall, Li Preti, Walker
No - 34 Mayor: Councillors:	Miller Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Giambrone, Grimes, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Watson

Lost by a majority of 29.

Adoption of the Clause, without amendment:

Yes - 36 Mayor: Councillors:	Miller Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Ford, Giambrone, Grimes, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Watson
No - 3 Councillors:	Del Grande, Hall, Walker

Carried by a majority of 33.

Summary:

Council adopted this Clause without amendment.

12.48 **Striking Committee Report 4, Clause 1, headed “Appointment of Member of Council to Toronto Transit Commission to Replace a Vacancy”.**

Vote:

Adoption of the Clause, without amendment:

Yes - 38	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Del Grande, Fillion, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

12.49 Etobicoke York Community Council Report 7, Clause 8, headed “Removal of One Privately-Owned Tree - 17 Elsfield Road (Ward 5 - Etobicoke-Lakeshore)”.

Motion:

Councillor Milczyn moved that the Clause be referred back to the Etobicoke York Community Council for further consideration at its meeting in January 2007, with a request that the General Manager, Parks, Forestry and Recreation review the additional materials submitted by the applicant and reinspect the property at 17 Elsfield Road.

Vote on Referral:

The motion by Councillor Milczyn carried.

12.50 Etobicoke York Community Council Report 7, Clause 18, headed “Final Report - Official Plan Amendment and Rezoning Application Applicant: Imperial Oil Inc.; 6 Aldgate Avenue (Ward 5 - Etobicoke -Lakeshore)”.

Motion:

Councillor Milczyn moved that the Clause be amended by deleting Recommendation (4) of the Etobicoke York Community Council and replacing it with the following:

- “(4) as a condition of site plan approval, the owner make application to the Committee of Adjustment for the purpose of severing the portion of the mutual driveway to convey those lands to the owner of No. 8 Aldgate Avenue;”.

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

[See Motion J(56) on Page 269 for Council's additional action on this matter.]

12.51 Works Committee Report 6, Clause 18, headed "Regent Park Revitalization Project - Agreement with Toronto Community Housing Corporation for the Installation of Community Energy Distribution Piping in Various Public Streets (Ward 28, Toronto Centre-Rosedale)".

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor McConnell, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor McConnell moved that the Clause be amended in accordance with the following staff recommendations in the Recommendations Section of the report (September 22, 2006) from the General Manager, Transportation Services:

"It is recommended that:

- (1) the scope of the proposed agreement with Toronto Community Housing Corporation (TCHC) to authorize the construction, installation, maintenance and operation of a community energy system (hot and chilled water distribution and ancillary plant) in the City of Toronto streets, be extended to encompass an electrical distribution system, generally under the terms and conditions set out in the August 24, 2006 staff report and other such terms and conditions as may be satisfactory to the City Solicitor and General Manager, Transportation Services;
- (2) the cost allocation formula for any relocation of plant for bona fide municipal purposes installed pursuant to the proposed Agreement be based on a sliding scale such that any such costs incurred during the first five years be the responsibility of the City, costs from that point to Year 15 be subject to a

straight-line sliding scale and thereafter be the sole responsibility of the TCHC;

- (3) the City Solicitor be authorized to refine the applicable terms of the Agreement to permit TCHC to provide connections to buildings lying along a route where required by law if requested by the building owner/occupant; and
- (4) Clause 18 of Works Committee Report 6 be adopted as amended by the Recommendations of this report.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

12.52 Toronto and East York Community Council Report 8, Clause 42, headed “Railway Lands East Precinct Agreement 25 York Street (Ward 28 - Toronto Centre-Rosedale)”.

The Clause was submitted without recommendation.

Motion:

Councillor McConnell moved that Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 20, 2006) from the City Solicitor.

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

Summary:

Council adopted the staff recommendations contained in the Recommendations Section of the confidential report (September 20, 2006) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

12.53 Planning and Transportation Committee Report 6, Clause 25, headed “Partial Settlement of Appeals to the New Official Plan - Section 37 Policies”.

Motion:

Councillor Rae moved that the Clause be amended by adding the following:

“That the Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Growth Management Committee on the proposed implementation guidelines for the new Official Plan policies respecting Section 37 of the *Planning Act* and the potential for including Heritage Conservation Districts as a community benefit under Section 37.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

12.54 Works Committee Report 6, Clause 7, headed “Infrastructure Improvements in the Fort York and Railway Lands West Neighbourhoods Class Environmental Assessment Study (Ward 19, Trinity -Spadina and Ward 20, Trinity-Spadina)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Moscoe, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Moscoe moved that the Clause be amended by adding the following:

“That an artist be included on the design team for the Bathurst Street Bridge.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

12.55 Economic Development and Parks Committee Report 6, Clause 12, headed “Intention to Reduce the Boundaries of the York-Eglinton Business Improvement Area (BIA) and to Create a New BIA in the Area within the Current York-Eglinton BIA that is West of Dufferin Street (Ward 15 Eglinton-Lawrence and Ward 17 Davenport)”.

Motion:

Councillor Moscoe moved that the Clause be amended:

- (1) in accordance with the following staff recommendations contained in the Recommendations Section of the report (September 14, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) the attached map be substituted as Map 1 of 2 in Attachment 1 to the report titled ‘Intention to Reduce the Boundaries of the York-Eglinton Business Improvement Area (BIA) and to Create a New BIA in the Area within the Current York-Eglinton BIA that is West of Dufferin Street’; and
 - (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and
- (2) to provide that the results of the poll remain confidential until reported at the community meeting convened for that purpose.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

12.56 Administration Committee Report 6, Clause 39, headed “Roundhouse - Lease Amendments with Steam Whistle Inc. and Overall Head Lease to a Single Purpose Ontario Corporation (Ward 20 – Trinity-Spadina)”.

Motion:

Councillor Silva moved that the Clause be amended by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (September 20, 2006) from the General Manager, Economic Development, Culture and Tourism:

‘It is recommended that:

- (1) Schedules B1 and B2 attached to this report be added to Appendix C of Administration Committee Report 6, Clause 39; and
- (2) the appropriate City officials be authorized and directed to take the

necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

12.57 North York Community Council Report 7, Clause 86, headed “Report Request - Conveyance of Kenaston Gardens Park – Upgrades and Public Art Component Completion (Ward 24 - Willowdale)”.

The Clause was submitted without recommendation.

Motion:

Councillor Shiner moved that Council:

- (1) receive the report (September 22, 2006) from the General Manager, Parks, Forestry and Recreation; and
- (2) request the General Manager, Parks, Forestry and Recreation to complete the Kenaston Gardens Park as quickly as possible.

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

12.58 Policy and Finance Committee Report 7, Clause 5, headed “Consolidated User Fee By-law and Solid Waste Management Services Fees”.

Vote:

Adoption of the Clause, without amendment:

Yes - 33	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Del Grande, Feldman, Fillion, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Nunziata, Palacio, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker, Watson
No - 8	

Councillors: Augimeri, Minnan-Wong, Moscoe, Ootes, Saundercook, Shiner, Stintz, Thompson
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Carried by a majority of 25.

Deputy Mayor Feldman in the Chair.

12.59 **Etobicoke York Community Council Report 7, Clause 83, headed “Request to Rename the Humber Sheppard Community Centre The Carmine Stefano Community Centre (Ward 7 - York-West)”.**

Motion:

Councillor Mammoliti moved that the Clause be amended by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (September 25, 2006) from the General Manager, Parks, Forestry and Recreation:

‘It is recommended that:

- (1) Parks, Forestry and Recreation staff follow the appropriate community process for the proposed renaming of the Humber Sheppard Community Centre to the Carmine Stefano Community Centre in accordance with the Naming and Renaming for Parks and Recreation Facilities and Parks Policy;
- (2) the General Manager of Parks, Forestry and Recreation report back to the Etobicoke York Community Council in Spring 2007; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Mammoliti carried.

The Clause, as amended, carried.

12.60 **Toronto and East York Community Council Report 8, Clause 37, headed “Community Vehicular Reclamation Project – Augusta Avenue (Ward 20 - Trinity-Spadina)”.**

The Clause was submitted without recommendation.

Motion:

Councillor Silva moved that Council adopt the staff recommendations contained in the Recommendations Section of the report (September 25, 2006) from the General Manager, Transportation Services, with the exception of Recommendations (1)(b) and (1)(c), so that the recommendations, as amended and renumbered, now read as follows:

“It is recommended that:

- (1) City Council approve the request from the ‘Streets are for People’ organization to temporarily display an inoperable vehicle referred to as ‘Public Art’ located in the curb lane in front of 256 Augusta Avenue to remain until October 31, 2006 subject to the applicant agreeing to but not limited to the following:
 - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing an insurance policy for such liability for the duration of the temporary street occupation in a form as approved by the Deputy City Manager and Chief Financial Officer and in an amount not less than \$2,000,000.00 or such greater amount as the Deputy City Manager and Chief Financial Officer may require; and
 - (b) accept such additional conditions as the City Solicitor or the General Manager, Transportation Services may deem necessary in the interest of the City; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that may be required.”

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

12.61 Policy and Finance Committee Report 7, Clause 25, headed “Lobbyist Regulation”.

Motions:

- (a) Councillor Nunziata moved that the Clause be amended:
 - (1) in accordance with the staff recommendations contained in the Recommendations Section of the supplementary report (September 22, 2006) from the City Solicitor;

- (2) by deleting from Recommendation (I)(iv) of the Policy and Finance Committee, the words “in January, 2008”, so that the recommendation now reads as follows:

“(I)(iv) direct that the current voluntary registration system remain in force, and in the interim, the City Manager be requested to prepare a standard form for Members of Council to use until such time as the Lobbyist Registration System takes effect;”; and

- (3) by referring Part (19), “Fees”, contained in Appendix B, headed “Lobbyist Registration System”, to the report (August 30, 2006) from the City Manager, to the City Manager to review the feasibility of implementing a graduated scale for lobbyist fees that starts at \$100.00 and increases based on the nature of the matter that is subject to lobbying, and report to the Executive Committee as soon as possible in 2007.

- (b) Councillor Walker moved that the Clause be amended:

- (1) to provide that all public service unions be under the umbrella of the Lobbyist Registration System;
- (2) by deleting from Recommendation (I)(iv) of the Policy and Finance Committee, the year “2008” and replacing it with the year “2007”, so that the recommendation now reads as follows:

“(I)(iv) direct that the current voluntary registration system remain in force, and in the interim, the City Manager be requested to prepare a standard form for Members of Council to use until such time as the Lobbyist Registration System takes effect in January, 2007;”; and

- (3) by adding to Part (15), “Information to be Filed in Returns”, contained in Appendix B, headed “Lobbyist Registration System”, to the report (August 30, 2006) from the City Manager, the following new Part (m):

“(m) the amount of election contributions made in the past or current election campaigns;”.

- (c) Councillor Moscoe moved that the Clause be amended by adding the following:

“That, until such time as the Lobbyist Registry is fully established, the City Clerk shall report to each City Council meeting in the form of a communication, the names of Members of Council who have filed a monthly report under the voluntary Lobbyist Registry.”

- (d) Councillor Kelly moved that the Clause be amended by amending Appendix B, headed "Lobbyist Registration System", to the report (August 30, 2006) from the City Manager by:
- (1) adding to Item (6), "Classes of Lobbyist", the following:
 - "(e) unions;
 - (f) non-governmental organizations; and
 - (g) non-ward specific associations;"
 - (2) adding to Item (8), "Lobbyist means:", the following:
 - "(d) in the case of lobbyists, acting on behalf of unions, non-governmental organizations and non-ward specific associations in respect of a subject matter"; and
 - (3) deleting from Item (12), "Exemption of Certain Individuals and Bodies", the following Parts (j) and (k):
 - "(j) representatives of employee and labour groups representing employees of the City or a local board; and
 - (k) not-for-profit organizations."
- (e) Councillor Del Grande moved that the Clause be amended by adding the following:
- "That the Lobbyist Registry be implemented at little or no cost to the City."
- (f) Councillor Lindsay Luby moved that those motions respecting lobbying by unions, be referred to the City Manager with a request that she report to the appropriate successor Committee with recommendations differentiating between lobbying by unions which has a monetary component, as opposed to informal discussions between Members of Council and City staff.
- (g) Councillor Mihevc moved that proposed amendments that revise the Terms of Reference for the Lobbyist Registration, be referred to the City Manager for report to City Council, through the appropriate successor Committee dealing with these matters.
- (h) Councillor Ootes moved that Council:
- (1) adopt the following Recommendations (II) to (VI) of the Policy and Finance Committee:
 - "(II) the City Manager be directed to take the steps necessary to implement

the lobbyist registry as soon as possible following proclamation of the *City of Toronto Act, 2006*;

- (III) the City Manager be directed to immediately start the process of recruiting the Lobbyist Registrar in order to present a list of candidates to a selection panel composed of three Members of the incoming Council following the municipal election;
 - (IV) the Mayor-elect be authorized to appoint the members of the selection panel from among the Members-elect after the City Clerk has certified the results of the November election;
 - (V) the Selection Panel be requested to make a recommendation to City Council on the appointment of a Lobbyist Registrar at the earliest possible opportunity; and
 - (VI) the Registrar be requested to submit a report on the functioning of the Lobbyist Registry within a year of its implementation;” and
- (2) refer the balance of the Clause back to the City Manager for further consideration and report to the Executive Committee in January 2007.
- (i) Councillor Shiner moved that:
- (1) in the event that City Council adopts the Lobbyist Registry at this meeting, the Clause be amended to provide that there not be any fees charged to register as a lobbyist; and
 - (2) Part (2) of motion (h) by Councillor Ootes be amended to provide that the City Manager also consider not charging a fee to register as a lobbyist.
- (j) Councillor Soknacki moved that:
- (1) That Part (1) of motion (d) by Councillor Kelly be amended by adding to “(e) unions”, the words “defined as those listed in the Briefing Note, entitled ‘Employee and Labour Groups for the Purposes of the Proposed Lobbyist Registry’ ”; and
 - (2) Part (1) of motion (h) by Councillor Ootes be amended to provide that Recommendation (VI) of the Policy and Finance Committee be amended to now read as follows:
 - “(VI) the Lobbyist Registrar be requested to report back to the appropriate Committee, within three months of taking office, on the operation of the Lobbyist Registry, such report to include a review of the groups

and organizations which are defined as lobbyists.”

- (k) Councillor Cho moved that motion (h) by Councillor Ootes be amended by adding the following additional Part (3):

“(3) all motions moved on this Clause be referred to the City Manager for consideration in the preparation of the report to the Executive Committee.”

- (l) Councillor Giambrone moved that Part (1) of motion (d) by Councillor Kelly be amended to provide that the inside unions listed in the Briefing Note, entitled “Employee and Labour Groups for the Purposes of the Proposed Lobbyist Registry” be exempted for the purpose of negotiating collective agreements or labour relations.

Votes:

Motion (k) by Councillor Cho carried.

Part (2) of motion (i) by Councillor Shiner carried.

Part (2) of motion (j) by Councillor Soknacki carried.

Adoption of motion (h) by Councillor Ootes, as amended:

Yes - 22	
Councillors:	Ainslie, Augimeri, Barron, Cho, Del Grande, Di Giorgio, Feldman, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Palacio, Pitfield, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No - 19	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Jenkins, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Silva, Soknacki

Carried by a majority of 3.

Due to the above decisions of Council, the following motions were not put to a vote, as they were referred to the City Manager:

- motion (a) by Councillor Nunziata;
- motion (b) by Councillor Walker;
- motion (c) by Councillor Moscoe;
- motion (d) by Councillor Kelly;
- motion (e) by Councillor Del Grande;

- motion (f) by Councillor Lindsay Luby;
- motion (g) by Councillor Mihevc;
- Part (1) of motion (i) by Councillor Shiner;
- Part (1) of motion (j) by Councillor Soknacki; and
- motion (l) by Councillor Giambrone.

Summary:

Council:

- (1) adopted Recommendations (II) to (VI) of the Policy and Finance Committee, subject to amending Recommendation (VI), so that Recommendations (II) to (VI), as amended, now read as follows:
 - “(II) the City Manager be directed to take the steps necessary to implement the lobbyist registry as soon as possible following proclamation of the *City of Toronto Act, 2006*;
 - (III) the City Manager be directed to immediately start the process of recruiting the Lobbyist Registrar in order to present a list of candidates to a selection panel composed of three Members of the incoming Council following the municipal election;
 - (IV) the Mayor-elect be authorized to appoint the members of the selection panel from among the Members-elect after the City Clerk has certified the results of the November election;
 - (V) the Selection Panel be requested to make a recommendation to City Council on the appointment of a Lobbyist Registrar at the earliest possible opportunity; and
 - (VI) the Lobbyist Registrar be requested to report back to the appropriate Committee, within three months of taking office, on the operation of the Lobbyist Registry, such report to include a review of the groups and organizations which are defined as lobbyists.”;
- (2) referred the balance of the Clause back to the City Manager for further consideration and report to the Executive Committee in January 2007, with a request that the City Manager consider not charging a fee to register as a lobbyist; and
- (3) referred the following motions to the City Manager for consideration in the preparation of the report to the Executive Committee:

Moved by Councillor Del Grande:

“That the Lobbyist Registry be implemented at little or no cost to the City.”

Moved by Councillor Giambrone:

“That Part (i) of the motion by Councillor Kelly be amended to provide that the inside unions listed in the Briefing Note, entitled ‘Employee and Labour Groups for the Purposes of the Proposed Lobbyist Registry’ be exempted for the purpose of negotiating collective agreements or labour relations.”

Moved by Councillor Kelly:

“That Appendix B, headed ‘Lobbyist Registration System’, to the report (August 30, 2006) from the City Manager be amended by:

- (i) adding to Item (6), ‘Classes of Lobbyist’, the following:
 - (e) unions;
 - (f) non-governmental organizations; and
 - (g) non-ward specific associations’;
- (ii) adding to Item (8), ‘Lobbyist means:’, the following:
 - ‘(d) in the case of lobbyists, acting on behalf of unions, non-governmental organizations and non-ward specific associations in respect of a subject matter.’; and
- (iii) deleting from Item (12), ‘Exemption of Certain Individuals and Bodies’, the following Parts (j) and (k):
 - ‘(j) representatives of employee and labour groups representing employees of the City or a local board; and
 - (k) not-for-profit organizations.’ ”

Moved by Councillor Lindsay Luby:

“That those motions respecting lobbying by unions, be referred to the City Manager with a request that she report to the appropriate successor Committee with recommendations differentiating between lobbying by unions which has a monetary component, as opposed to informal discussions between Members of Council and City staff.”

Moved by Councillor Mihevc:

“That proposed amendments that revise the Terms of Reference for the Lobbyist Registration, be referred to the City Manager for report to City Council, through the appropriate successor Committee dealing with these matters.”

Moved by Councillor Moscoe:

“That, until such time as the Lobbyist Registry is fully established, the City Clerk shall report to each City Council meeting in the form of a communication, the names of Members of Council who have filed a monthly report under the voluntary Lobbyist Registry.”

Moved by Councillor Nunziata:

“That:

- (i) Recommendation (I)(iv) of the Policy and Finance Committee be amended by deleting the words ‘in January, 2008’, so that the recommendation now reads as follows:

‘(I)(iv) direct that the current voluntary registration system remain in force, and in the interim, the City Manager be requested to prepare a standard form for Members of Council to use until such time as the Lobbyist Registration System takes effect;’;
- (ii) the Clause be amended in accordance with the staff recommendations contained in the Recommendations Section of the supplementary report (September 22, 2006) from the City Solicitor; and
- (iii) Appendix B, headed ‘Lobbyist Registration System’, to the report (August 30, 2006) from the City Manager be amended by referring Part (19), ‘Fees’, to the City Manager to review the feasibility of implementing a graduated scale for lobbyist fees that starts at \$100.00 and increases based on the nature of the matter that is subject to lobbying, and report to the Executive Committee as soon as possible in 2007.”

Moved by Councillor Shiner:

“That in the event that City Council adopts the Lobbyist Registry at this meeting, the Clause be amended to provide that there not be any fees charged to register as a lobbyist.”

Moved by Councillor Soknacki:

“That Part (i) of the motion by Councillor Kelly be amended by adding to ‘(e) unions’, the words “defined as those listed in the Briefing Note, entitled ‘Employee and Labour Groups for the Purposes of the Proposed Lobbyist Registry’.”

Moved by Councillor Walker:

“That:

- (i) Recommendation (I)(iv) of the Policy and Finance Committee be amended by deleting the year ‘2008’ and replacing it with the year ‘2007’, so that the recommendation now reads as follows:

‘(I)(iv) direct that the current voluntary registration system remain in force, and in the interim, the City Manager be requested to prepare a standard form for Members of Council to use until such time as the Lobbyist Registration System takes effect in January, 2007;’;

- (ii) Appendix B, headed ‘Lobbyist Registration System’, to the report (August 30, 2006) from the City Manager be amended by adding to Part (15), ‘Information to be Filed in Returns’, the following new Part (m):

‘(m) the amount of election contributions made in the past or current election campaigns;’; and

- (iii) all public service unions be under the umbrella of the Lobbyist Registration System.”

12.62 Toronto and East York Community Council Report 7, Clause 24, headed “Refusal and Directions Report - Official Plan Amendment and Rezoning Application - 444 Yonge Street (Ward 27 - Toronto Centre-Rosedale)”.

Motion:

Councillor Rae moved that the Clause be amended by adding the following:

“That Council adopt the following staff Recommendations (2) and (3) contained in the report (September 26, 2006) from the Chief Planner and Executive Director, City Planning:

- (2) should the application be appealed to the Ontario Municipal Board (the ‘OMB’), Council authorize the City Solicitor to request the OMB to set a hearing date only after such time as Council has had an opportunity to provide the City Solicitor with directions regarding this matter; and

- (3) in the event of (1) or (2) above, a Further Report would be required from the Director, Community Planning, Toronto and East York District that provides a complete analysis of the appropriate facilities, services or matters to be secured under Section 37 of the *Planning Act*, and which may include:
- (i) maintenance to College Park and the Barbara Ann Scott skating rink;
 - (ii) public transit improvements at the College Park Subway Station;
 - (iii) park development within the vicinity of the development; and/or
 - (iv) streetscape improvements along Bay Street within the vicinity of the development.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

12.63 Toronto and East York Community Council Report 7, Clause 70, headed “Provision of a ‘Student Pick-up and Drop-off Area’ with a Ten-Minute Maximum Parking Limit - Mill Street, south side, from Parliament Street to Cherry Street (Ward 28 - Toronto Centre-Rosedale)”.

Motion:

Councillor McConnell moved that the Clause be amended by adding the following:

“That the General Manager, Transportation Services be requested to report, if necessary, to the first meeting of the Toronto and East York Community Council in January 2007, following the additional assessment and consultation with the affected parties with respect to further changes to the transit stop location or parking regulations on Mill Street at Trinity Street.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

12.64 Toronto and East York Community Council Report 7, Clause 74, headed “Installation of a ‘Stop’ Sign for Eastbound Traffic – Laneway intersecting Dermott Place, opposite 13 Dermott Place (Ward 28 - Toronto Centre Rosedale)”.

Motion:

Councillor McConnell moved that the Clause be amended by adding the following:

“That the report (September 22, 2006) from the General Manager of Transportation Services, regarding the installation of speed humps on Dermott Place, between Carlton Street and Spruce Street, be referred to the first meeting of the Toronto East York Community Council in 2007.

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

12.65 Scarborough Community Council Report 7, Clause 3, headed “Request for Fence Exemption - 120 Fallingbrook Road (Ward 36 - Scarborough Southwest)”.

Motion:

Councillor Ashton moved that the Clause be amended by deleting the recommendation of the Scarborough Community Council, and adopting instead the following:

“That:

- (1) the two lattice panels located on the west property line be removed; and
- (2) the request for Fence Exemption to Chapter 447 of the Toronto Municipal Code for the remaining fences be referred to Scarborough Community Council for consideration at its meeting in January 2007.”

Votes:

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

12.66 Policy and Finance Committee Report 7, Clause 35, headed “Proposed Spadina Subway Extension - Capital Cost Allocation between the City of Toronto and the Regional Municipality of York; and Appointment of Municipal Trustee For the Move Ontario Trust – Proposed Spadina Subway Extension”.

Motion:

Councillor Li Preti moved that the Clause be amended by adding the following:

“That a copy of this Clause be forwarded to the Federal Minister of Finance for information and endorsement.”

Votes:

The motion by Councillor Li Preti carried.

Adoption of the Clause, as amended:

Yes - 34	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Feldman, Fletcher, Giambrone, Hall, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Shiner, Silva, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

12.67 North York Community Council Report 7, Clause 37, headed “Supplementary Reports - Rezoning Application - 05 128488 NNY 24 OZ Daniels HR Corporation - Kirkor Architects & Planners 603-605 Sheppard Avenue East and 9-17 Rean Drive and 6-10 Dervock Crescent (Ward 24 - Willowdale)”.

Motion:

Councillor Shiner moved that the Clause be amended in accordance with the following motion:

“**WHEREAS** Daniels HR Corporation has appealed its Rezoning and Site Plan applications to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board Hearing is scheduled for four days commencing on October 17, 2006; and

WHEREAS North York Community Council, at its meeting of September 13, 2006, made recommendations to City Council as to the appropriate built form and design principles for development of the site; and

WHEREAS the applicant has not indicated any willingness to redesign the development in accordance with the recommendations of North York Community

Council; and

WHEREAS to provide greater flexibility and incentive for the applicant to redesign the proposal in accordance with sound planning principles, consideration be given to Building 'C' being increased in height to 6 storeys provided a 45 degree angular plane is maintained by that building along the eastern boundary of the site; and

WHEREAS to assist in the resolution of this matter it is now appropriate to request the Ontario Municipal Board to participate in a mediation of the outstanding issues; and

WHEREAS the requirement for a one year transit pass in Recommendation (2)(c)(iv) of North York Community Council Report 7, Clause 37 is out of order given City Council determined at its meeting of July 25, 26 and 27, 2006 that a six month transit pass be provided to the purchaser of each residential unit;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the following words be added to the beginning of the lead-in paragraph in Recommendation (1) of North York Community Council Report 7, Clause 37:

‘instruct the City Solicitor to request the Ontario Municipal Board to mediate between the parties in this matter pursuant to the Board’s Rules of Practice and Procedure, and if the Board fails to mediate’,

so that the paragraph reads as follows:

- (1) instruct the City Solicitor to request the Ontario Municipal Board to mediate between the parties in this matter pursuant to the Board’s Rules of Practice and Procedure, and if the Board fails to mediate, instruct the City Solicitor to attend at the Ontario Municipal Board to oppose the owner’s current rezoning and site plan applications and to support a revised proposal which generally conforms with the conceptual plans shown as Design Option A of the Further Report of the Director of Urban Design, City Planning, dated September 7, 2006, and the following principles:’;
- (2) Recommendation (1)(a) of North York Community Council Report 7, Clause 37 be deleted and replaced with the following:
 - (1)(a) maximize and regularize the open space along the eastern boundary of the site with the proviso that if Building “C” maintains a 45 degree angular plane along the eastern boundary, then Building “C” may be a maximum of 6 storeys rather than 4 storeys and the Gross Floor Area of Building “D” shall be reduced by the corresponding increase in the

gross Floor Area of Building “C”;;’;

- (3) Recommendation (2)(c)(iv) of North York Community Council Report 7, Clause 37 be amended to replace the words ‘one year’ with ‘six months’ so that Recommendation (2)(c)(iv) now reads as follows:

‘(2)(c)(iv) the owner being required to provide the purchaser of each residential unit in Buildings “A”, “C” and “D” with a six month transit pass;’; and

- (4) North York Community Council Report 7, Clause 37, as amended, be adopted.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

Deputy Mayor Bussin in the Chair.

12.68 North York Community Council Report 7, Clause 78, headed “Request for Direction Report - Application to Amend the Official Plan and Zoning By-law - 04 190410 NNY 16 OZ - Site Plan Control Application - 05 200330 NNY 16 SA - 1705, 1717, 1719, 1743 and 1745 Avenue Road (Ward 16 – Eglinton-Lawrence)”.

Motion:

- (a) Councillor Moscoe moved that the Clause be amended by adding the following:

“That the Ontario Municipal Board be advised that City Council would prefer a lower building than the Section 37 community benefits outlined in the report (August 24, 2006) from the Director, Community Planning, North York District, namely:

‘(d) prior to the implementing Zoning By-law coming into full force and effect, the owner be required to:

- (i) enter into an Agreement under Section 37 of the *Planning Act* for depositing a letter of credit or certified cheque in the amount of \$400,000.00 to the satisfaction of the Chief Financial Officer and Treasurer, as follows:

- \$250,000.00 for site remediation and improvements to convert the Toronto Transit Commission bus-loop at

1400 Avenue Road into a park; and

- \$150,000.00 for renovations to the Armour Heights Community Centre including but not limited to: mechanical, windows, millwork, finishes, fire alarms, security systems and fixtures.’ ”

(b) Councillor Ashton moved that the Clause be amended by adding the following:

“That the Ontario Municipal Board be advised that City Council believes the application to be premature in the absence of the completion of the Avenue Road Study.”

(c) Councillor Carroll moved that the Clause be amended by deleting the recommendations of the North York Community Council, and that Council adopt instead the staff recommendations contained in the Recommendations Section of the report (August 24, 2006) from the Director, Community Planning, North York District [as contained in the Clause].

Votes:

Adoption of motion (c) by Councillor Carroll:

Yes - 10	
Mayor:	Miller
Councillors:	Carroll, Cho, Davis, De Baeremaeker, Lindsay Luby, McConnell, Mihevc, Pantalone, Silva
No - 26	
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Cowbourne, Del Grande, Feldman, Filion, Hall, Holyday, Jenkins, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Stintz, Thompson, Walker, Watson

Lost by a majority of 16.

Adoption of motion (a) by Councillor Moscoe:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Feldman, Hall, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Shiner, Silva, Stintz, Thompson, Walker

No - 7	
Councillors:	Del Grande, Filion, Holyday, Jenkins, Li Preti, Mammoliti, Watson

Carried by a majority of 22.

Adoption of motion (b) by Councillor Ashton:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Shiner, Silva, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

Adoption of the Clause, as amended:

Yes - 31	
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Cho, Cowbourne, De Baeremaeker, Del Grande, Feldman, Filion, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Silva, Stintz, Thompson, Walker, Watson
No - 5	
Mayor:	Miller
Councillors:	Carroll, Davis, McConnell, Pantalone

Carried by a majority of 26.

Summary:

Council amended this Clause by adding the following:

“That the Ontario Municipal Board be advised that:

- (1) City Council believes the application to be premature in the absence of the completion of the Avenue Road Study; and
- (2) City Council would prefer a lower building than the Section 37 community

benefits outlined in the report (August 24, 2006) from the Director, Community Planning, North York District, namely:

- ‘(d) prior to the implementing Zoning By-law coming into full force and effect, the owner be required to:
 - (i) enter into an Agreement under Section 37 of the *Planning Act* for depositing a letter of credit or certified cheque in the amount of \$400,000.00 to the satisfaction of the Chief Financial Officer and Treasurer, as follows:
 - \$250,000.00 for site remediation and improvements to convert the Toronto Transit Commission bus-loop at 1400 Avenue Road into a park; and
 - \$150,000.00 for renovations to the Armour Heights Community Centre including but not limited to: mechanical, windows, millwork, finishes, fire alarms, security systems and fixtures.’ ”

Mayor Miller in the Chair.

12.69 North York Community Council Report 7, Clause 90, headed “Other Items Considered by the Community Council”.

Procedural Motion:

Councillor Filion moved that Council waive the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to consider Item (i), entitled “Request for Direction Report – Official Plan Amendment and Rezoning Application - 05 105152 NNY 23 OZ - Subdivision Application - 05 105158 NNY 23 SB – Allan Leibel, Goodmans - Kirkor Architects & Planners - 1-12 Oakburn Crescent and 14-40 Oakburn Place, and 12 Anndale Drive, 68 Avondale Avenue (Ward 23 - Willowdale)”.

Vote:

The procedural motion by Councillor Filion carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Bussin in the Chair.

Motions:

- (a) Councillor Filion moved that Council adopt the following:

“That the General Manager, Transportation Services, be requested to meet with residents to address concerns regarding the easterly connection of Oakburn Crescent and Avondale Avenue to arrive at a resolution that traffic from the new development does not exit into the stable residential area.”

- (b) Councillor Moscoe moved that Council adopt the following staff recommendations contained in the Recommendations Section of the report (September 8, 2006) from the Director, Community Planning, North York:

‘It is recommended that:

- (1) City Council not support the proposed phased development of 1,195 residential units in its current form.
- (2) City Council support the recommended modifications to the proposed Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision Application, and Master Concept Plan, for a phased development consisting of a total maximum of 1,195 new residential units (859 units plus 55 existing rental units to remain in Phase 1; and an additional 336 units for a total of 1,195 new residential units at the end of Phase 2), subject to the Recommendations and conditions and as generally outlined in this Report.
- (3) City Council authorize the City Solicitor and any appropriate City staff as may be required to attend at the Ontario Municipal Board hearing in support of the position outlined in this Report and Recommendations, and to bring forward to the Ontario Municipal Board the final form of proposed Official Plan and Zoning Amendments, Draft Plan of Subdivision, and Master Concept Plan consistent with the principles outlined in this Report and Recommendations, and consistent with Council policies and guidelines as they may determine appropriate, including but not limited to the North York Centre Secondary Plan and the Infill Townhouse Guidelines.
- (4) Subject to taking the necessary procedural steps, City Council support in principle relocating the road through the subject property and declaring Parts A, B, C, E, F and H of the proposed Draft Plan of Subdivision (Attachment 5) surplus and inviting an offer to purchase them from the Owner, on the condition that the Owner convey to the City as part of the development Blocks 4 and 8 and Parts I and J on said attachment, to be secured in appropriate legal agreements in relation to the Phase 1 development.
- (5) City Council support in principle a draft plan of subdivision,

substantially in the form of Attachment 5, which includes 6 townhouse blocks, 5 blocks for residential towers, a central park block, a westerly park block, and a relocated Oakburn Place road configuration which also provides for a future connection to Harrison Garden Boulevard, subject to the following, to the City's satisfaction:

- (a) a Master Concept Plan, including urban design guidelines, subject to conditions as generally outlined in this Report and Recommendations, to be registered on title as part of the subdivision agreement;
 - (b) the City's standard subdivision agreement requirements;
 - (c) the draft plan of subdivision requirements as outlined in the Technical Services comments of September 7, 2006 (Attachment 10b);
 - (d) the draft plan of subdivision requirements as outlined in the Parks, Forestry and Recreation comments of August 24, 2006 (Attachment 10c), subject to the public park conveyances being provided as part of the Phase 1 development;
 - (e) the requirements of the Ministry of Transportation as outlined in their comments dated February 17, 2005 (Attachment 10f);
- (6) that City Council support in principle an amendment to the site-specific policy 12.17 of the North York Centre Secondary Plan, Oakburn Crescent and Oakburn Place Lands, for the following purposes:
- (a) to delete the permission for a maximum of 2,787 m² of office and residential uses accessory or ancillary to the permitted residential uses; and
 - (b) to permit a maximum total of 1,195 residential units on the site, in a phased development consisting of 859 units plus 55 existing rental units to remain in Phase 1 only, and an additional 336 units for a total of 1,195 new residential units at the end of Phase 2.
- (7) City Council not support any proposed amendments to the Official Plan or Zoning By-law that would result in a density in excess of 83,652 m² (2.0 FSI base density on the site) or 110,827 m² (2.66 FSI on the site with combined density incentives and transfers provided in accordance with North York Centre Secondary Plan provisions,

including an adjustment related to parkland dedication density), in relation to a proposed total site area of 41,826.1 m².

- (8) City Council not support any proposed amendment to the Official Plan or Zoning By-law that would exempt any building within the development from the maximum height permission of the North York Centre Secondary Plan, including the site-specific angular plane policy that building heights are limited to one half the horizontal distance separating any building or portion thereof from the nearest Relevant Residential Property Line shown on Map D.1.6 of the Secondary Plan.
- (9) City Council support in principle a site-specific amendment to Zoning By-law 7625, to include, among other matters, the following provisions to be specified in the implementing zoning by-law to the satisfaction of the City Solicitor and the Director, Community Planning, North York District:
 - (a) that the Ontario Municipal Board be requested to withhold its Order for the proposed official plan and zoning by-law amendments until such time as the Owner has provided, at its sole expense, the following matters required in respect of the Phase 1 development (up to a maximum of 859 new units, plus 55 existing rental units), to the satisfaction of the Executive Director of Technical Services and the City Solicitor, and to be secured in a section 37 agreement:
 - (i) lands for the widening of Avondale Avenue to five lanes between Bales Avenue and Yonge Street;
 - (ii) an exclusive westbound right turn lane at the intersection of Yonge Street and Avondale Avenue;
 - (iii) lands to implement the approved Service Road network in relation to the property at the northwest corner of Avondale Avenue and Tradewind Avenue (known municipally as 68 Avondale Avenue);
 - (iv) funding for signalization of the new four-leg intersection between Tradewind Avenue and Avondale Avenue;
 - (v) a road connection between the site and Harrison Garden Boulevard to the immediate west of the site;

- (vi) Travel Demand Management initiatives for the Oakburn project including the provision of Metropasses and a shuttlebus service;
 - (vii) the monetary contribution in relation to the density incentive of approximately 4,281 m² gross floor area as outlined in (9)(c)(iv)(f) below.
- (b) a Holding provision to be placed on the site-specific zoning by-law for the development of the second phase (up to a maximum total of 1,195 units on the site) until such time as the City has secured the following improvements, with such matters also to be secured in the section 37 agreement:
- (i) the City's acquisition of lands to implement the identified Service Road connection along Anndale Drive between Yonge Street and Bonnington Place as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report;
 - (ii) Travel Demand Management initiatives for the Oakburn project including the provision of Metropasses and a shuttlebus service, revised as may be necessary to reflect the Phase 2 project; and
 - (iii) the monetary contribution in relation to the density incentive of approximately 17,337 m² gross floor area as outlined in (9)(c)(iv)(f) below;
- (c) the site-specific zoning by-law amendment include, among other matters, the following additional provisions:
- (i) the only permitted uses shall be apartment house dwellings (which may have access from either an interior corridor or direct at-grade exterior access, or both), multiple attached dwellings, and public park;
 - (ii) a maximum total of up to 1,195 total units on the site, subject to the following:
 - (a) a maximum of 859 units in the Phase 1 development, including at least 286 rental units, along with 55 existing rental units to remain throughout construction of the Phase 1 development; and

- (b) a maximum of an additional 336 residential units in the Phase 2 development, instead of the existing 55 rental units (approximate) proposed to remain as part of the Phase 1 development, for a total maximum unit count of 1,195 residential units upon completion of both Phase 1 and Phase 2;
- (iii) a maximum gross floor area of 83,652 m², being a maximum base density limit of 2.0 FSI in conformity with the North York Centre Secondary Plan, for the site of total area 41,826.1 m², including in the Phase 1 development existing buildings proposed to remain during that phase and having a total maximum gross floor area of 4,488 m².
- (iv) a maximum additional gross floor area of up to 27,175 m², for a total maximum gross floor area of 110,827 m² (including an adjustment related to the parkland dedication). The maximum total gross floor area for Phase 1 is 83,445 m² for new construction plus 4,488 m² for existing buildings, for a total maximum of 87,933 m², and the maximum total gross floor area for the site upon completion of Phase 2 is 110,827 m², being a maximum density of 2.66 FSI with combined density incentives and transfers permitted in conformity with the North York Centre Secondary Plan, and including a parkland dedication density adjustment, for the site of area 41,826.1 m², subject to the Owner providing, at its expense, the following facilities, services and/or matters to be secured in a section 37 agreement to the satisfaction of the City Solicitor:
 - (a) lands municipally known as 68 Avondale Avenue, with an area of approximately 451.5 m², and a density of 3.5 FSI, for a maximum additional gross floor area of approximately 1580 m², with the density of the 68 Avondale lands to be reduced to zero gross floor area to recognize the density transfer, and with these lands to be provided to the City prior to the implementing zoning by-law for the Oakburn project coming into effect;

- (b) lands municipally known as 12 Anndale Drive, with an area of approximately 395.7 m², and a density of 3.5 FSI, for a maximum additional gross floor area of approximately 1385 m², with the density of the 12 Anndale Drive lands to be reduced to zero gross floor area to recognize the density transfer, and with these lands to be provided to the City prior to the implementing zoning by-law for the Oakburn project coming into effect;
- (c) the portion of lands municipally known municipally as 4679 Yonge Street at the northeast corner of Yonge Street and Avondale Avenue, that is required for the Service Road as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), with an area of approximately 223 m², for a maximum additional gross floor area of approximately 1003 m², with the density of said lands to be reduced to zero gross floor area to recognize the density transfer, prior to the implementing zoning by-law for the Oakburn project coming into effect;
- (d) should the Owner (Oakburn) have used reasonable efforts to acquire the required lands from 4679 Yonge Street and have not been successful, City staff are authorized to initiate the expropriation process including serving and publishing Notices of Application for Approval to Expropriate, forwarding to the Chief Inquiry Officer any requests for hearing received, attending the hearing to present the City's position and reporting the Inquiry Officer's recommendations to Council for its consideration, with all costs incurred and compensation payable as a result of the expropriation to be at the Owner's (Oakburn's) total expense.
- (e) a minimum of 1.5 m² per unit of private indoor recreational area to be provided on the site, being approximately 1,059 units and 1,589 m² of private indoor recreational area, for a

maximum additional gross floor area of approximately 1,589 m²;

- (f) a monetary contribution to fund any additional requested density up to the maximum 2.66 FSI permitted by the North York Centre Secondary Plan (subject to an adjustment related to parkland dedication density), in accordance with the provisions of Section 3.3, Density Incentives, of the Secondary Plan, with such moneys to be directed to the City's acquisition of required Service Road properties south of Sheppard Avenue and east of Yonge Street, or alternatively, the Owner may acquire and convey to the City additional property or properties required for the Service Road south of Sheppard Avenue and east of Yonge Street, as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), or a combination of the monetary contribution and such Service Road properties, for a total additional gross floor area of up to 21,618 m², with any monetary contribution to be based on the market value of density in the North York Centre as determined by the Director of Real Estate Services. Prior to the implementing zoning by-law for the Oakburn project coming into effect, the Owner shall provide a monetary contribution in the form of a certified cheque, to fund 4,281 m² of gross floor area associated with the Phase 1 development (existing plus proposed buildings), and the City shall secure in an appropriate legal agreement the requirement for the applicant to fund the balance of the approximate 21,618 m² density (approximately 17,337 m²) at the time the Holding provision is lifted in relation to the Phase 2 development; and
- (g) reallocations may be made among (e) and (f) above on the basis of confirmation of proposed private indoor recreational amenity space prior to the final implementing zoning by-law going forward to the Ontario Municipal Board for

enactment;

- (v) maximum gross floor areas to be assigned to each proposed development block generally as outlined in the Master Concept Plan development concept;
- (vi) “Gross Floor Area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:
 - (a) any parts of the buildings used for mechanical purposes;
 - (b) any space used for motor vehicle parking or bicycle parking; and
 - (c) the floor area of unenclosed residential balconies.
- (vii) maximum building height limits to be provided in accordance with all of the following provisions:
 - (a) For the block of townhouses proposed north of Oakburn Crescent, Established grade shall be defined as 169.62 m, the centre line of Oakburn Crescent midpoint from east to west. For all other blocks, established grade shall be determined at the time the final form of the zoning by-law is brought forward and to be based on the centre line geodetic elevations of the adjacent proposed public streets.
 - (b) height limits shall be in conformity with the North York Centre Secondary Plan height limits of Map D.1.6, and with the angular plane requirements of site-specific policy 12.17 requiring that the maximum height of all buildings and structures shall not exceed one-half the horizontal distance from the nearest Relevant Residential Property Line (RRPL);
 - (c) within 75 m of the RRPL, the height of all buildings or structures shall not exceed 11 m or three storeys whichever is less, also subject to the above angular plane requirement;

- (d) the maximum height of all multiple attached dwellings shall be 11 m and 3 storeys;
 - (e) the maximum height of all towers shall be no greater than 65 m and 23 storeys, whichever is less, also subject to the above angular plane requirement; and
 - (f) maximum height limits shall include appropriate base building or podium conditions in association with the proposed residential towers;
- (viii) in addition to the angular plane height requirement recommended in (vi)(b) above, the following additional modifications shall be made to the proposed zoning schedule:
- (a) minimum setbacks of 2.5 m from adjacent public streets (existing or proposed) for all buildings;
 - (c) a minimum setback of 15 m from the west property line for the tower portion of building E on block 6;
 - (d) a minimum setback of 7.5 m from the west property line for the proposed townhouses in block 5; and
 - (e) a minimum distance of 12.5 m between blocks in front or rear facing relationships for all residential units;
- (ix) a public park block of approximately 4,054 m² in area central to the site, and a park block of minimum size 240 m² in the northwest portion of the site, shall be provided in relation to the Phase 1 project, within 6 months of completion of building B, the rental replacement building;
- (x) parking shall be provided at a ratio of 1.0 space per residential unit (minimum) to 1.4 spaces per residential unit (maximum), on a per block basis, with the exception of the proposed rental building which

may have a parking standard of 0.8 spaces per residential unit, both ratios of which contain a visitor parking allowance of 0.1 space per residential unit;

- (xi) parking shall comply with the requirements of Zoning By-law 7625 in all other aspects;
 - (xii) bicycle parking to be provided at a rate of 0.5 spaces per residential unit for all units other than those in the independent townhouse blocks;
 - (xiii) loading space requirements, including supply, dimensions and accessibility, to comply with Zoning By-law 7625;
 - (xiv) a minimum of 25% of the total number of condominium residential units constructed are to be provided with the maximum floor area restrictions:
 - (a) 70 m² for a bachelor unit or a one-bedroom unit;
 - (b) 80 m² for a two-bedroom unit;
 - (c) 120 m² for a three-bedroom unit;
 - (d) any combination of the above.
- (10) City Council require that in addition to the recommended transportation improvements and density transfer and density incentive matters to be secured in a section 37 agreement as noted above, the owner be required to enter into a section 37 agreement to the satisfaction of the City Solicitor, to provide the following facilities, services and/or matters:
- (a) subject to Recommendation (4) above, the conveyance to the City of proposed parkland blocks 4 and 8, and public road Parts I and J as shown on Attachment 5, within 6 months of completion of proposed building E (rental replacement building);
 - (b) the provision and maintenance of at least 286 replacement rental dwelling units, with rental tenure to be secured for the proposed rental building for 20 years, along with the maintenance of rent levels and a tenant assistance package in conformity with the proposed rental housing principles attached as Attachment 10a;
 - (c) a public art programme valued at 1% of gross construction

- costs, for a public art installation to be located on-site and/or on public lands adjacent to the site. The owner shall submit to the City a public art plan for the site and obtain approval by the Chief Planner or designate in consultation with the Toronto Public Art Commission prior to the issuance of the first building permit for the Phase 1 project, or shall in lieu thereof, deposit two-thirds of the public art obligation in respect of that building permit with the City, and deposit the remaining one-third of the public art obligation prior to the issuance of the first building permit for the Phase 2 project;
- (d) a Construction Management Plan, to the satisfaction of the Executive Director, Technical Services, to be provided for each of the two proposed development phases, prior to the issuance of any demolition permit for the site in respect each of the respective two phases; and
 - (e) any required remediation, improvements, and final design and programming of the proposed park blocks 4 and 8, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- (11) City Council endorse in principle a Master Concept Plan for development of the Oakburn lands, generally in the form found in Attachment 9, subject to any required revisions as a result of the above Recommendations and as outlined in this Report.
 - (12) City Council direct the City Solicitor to request that the Ontario Municipal Board order that the proposed Official Plan Amendment and Zoning By-law Amendment not take effect until the Board has been advised that the City and the Owner of the subject lands have entered into a subdivision agreement and a section 37 agreement.
 - (13) City Council authorize the appropriate City staff to initiate the expropriation process, if necessary, for the lands required for the Anndale Drive extension between Yonge Street and Bonnington Place, as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), should the City not have acquired such lands within two years of the site-specific zoning by-law amendment for the Oakburn development coming into effect. The City's intent in this regard may be secured as part of the section 37 agreement for the Oakburn development.
 - (14) City Council require the Owner to have provided a written undertaking, in a form satisfactory to the City Solicitor, that upon the site-specific Official Plan and Zoning By-law coming into effect, any

outstanding appeal that the Owner may have in relation to the new Official Plan respecting this site, be withdrawn.’ ”

Votes:

Adoption of motion (b) by Councillor Moscoe:

Yes - 20	Councillors: Ashton, Augimeri, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Pantalone, Rae, Silva
No - 10	Councillors: Barron, Del Grande, Filion, Jenkins, Saundercook, Shiner, Stintz, Thompson, Walker, Watson

Carried by a majority of 10.

Adoption of motion (a) by Councillor Filion:

Yes - 29	Councillors: Ashton, Augimeri, Barron, Bussin, Carroll, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Pantalone, Rae, Saundercook, Shiner, Silva, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

Vote on Item (i), as amended:

Yes - 20	Councillors: Ashton, Augimeri, Bussin, Carroll, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Pantalone, Rae, Silva
No - 9	Councillors: Barron, Filion, Jenkins, Saundercook, Shiner, Stintz, Thompson, Walker, Watson

Carried by a majority of 11.

The balance of the Clause was received, for information.

12.70 Etobicoke York Community Council Report 7, Clause 17, headed “Supplementary Report - Lot 35 Westmore Drive, West Side of Westmore Drive, north of Finch Avenue - Official Plan Amendment and Rezoning Application; Applicant: Eros Fiacconi, EGF Associates (Ward 1 - Etobicoke North)”.

Motion:

Councillor Hall moved that the Clause be amended by deleting the recommendation of the Etobicoke York Community Council, and that Council adopt the following instead:

“WHEREAS City Council, at its meeting of July 25, 26 and 27, 2006, adopted with amendment Report 6, Clause 10, of the Etobicoke York Community Council containing a Resolution by the Etobicoke York Community Council, which, among others, directed the City Clerk to schedule a public meeting to consider the application at the September 13, 2006, meeting of the Etobicoke York Community Council; and

WHEREAS a public meeting was held on September 13, 2006, at which only one member of the public expressed any concern;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Etobicoke York Community Council recommend approval of Application 05-106821 WET 01 OZ by Eros Fiacconi to permit a 5-storey senior citizen apartment building with ground floor commercial usage at Lot 35 Westmore Drive;
- (2) the Toronto Official Plan be modified substantially in accordance with the draft Official Plan amendment appended to this report as Attachment No. 1, and that the necessary Bill be introduced for adoption at the City Council meeting of September 25, 26 and 27, 2006;
- (3) the Etobicoke Zoning Code be amended substantially in accordance with the draft Zoning By-law amendment appended to this report as Attachment No. 2;
- (4) before introducing the necessary Bill for the Zoning By-law Amendment to City Council for enactment, require the owner to enter into a Site Plan Agreement;
- (5) before introducing the necessary Bill for the Zoning By-law Amendment to Council for enactment, require the owner to enter into an agreement with the City to build, at the owner's expense and to municipal standards, a sidewalk on the west side of Westmore Drive, linking this property to the Sikh Spiritual Centre located at Carrier Drive; and
- (6) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments, as may be required.”

Votes:

Adoption of the motion by Councillor Hall:

Yes - 18 Councillors:	Ainslie, Augimeri, Barron, Bussin, Cowbourne, De Baeremaeker, Di Giorgio, Hall, Li Preti, Lindsay Luby, Mammoliti, McConnell, Moscoe, Nunziata, Palacio, Rae, Saundercook, Stintz
No - 15 Councillors:	Ashton, Carroll, Del Grande, Fillion, Giambrone, Holyday, Jenkins, Kelly, Mihevc, Milczyn, Shiner, Silva, Thompson, Walker, Watson

Carried by a majority of 3.

Adoption of the Clause, as amended:

Yes - 19 Councillors:	Ainslie, Augimeri, Barron, Bussin, Cowbourne, De Baeremaeker, Di Giorgio, Hall, Li Preti, Lindsay Luby, Mammoliti, McConnell, Moscoe, Nunziata, Palacio, Rae, Saundercook, Soknacki, Stintz
No - 15 Councillors:	Ashton, Carroll, Del Grande, Fillion, Giambrone, Holyday, Jenkins, Kelly, Mihevc, Milczyn, Shiner, Silva, Thompson, Walker, Watson

Carried by a majority of 4.

Mayor Miller in the Chair.

12.71 Toronto and East York Community Council Report 7, Clause 1, headed “Request for Endorsement of Event for Liquor Licensing Purposes (Wards 18, 19, 20 and 28)”.

Motion:

Councillor Davis moved that the Clause be amended by adding the following Part (c) to Recommendation (2) of the Toronto and East York Community Council:

“(2)(c) ARCFest – Toronto’s Social Justice Arts Festival, taking place from October 22-29, 2006 at 6 venues on Queen Street West, and advise the AGCO that it also has no objection to the granting of a Special Occasions Liquor Licence for SPIN Gallery (1100 Queen Street West) from October 24-27, 2006, and the Lennox Contemporary Gallery on October 24, 2006.”

Votes:

The motion by Councillor Davis carried.

The Clause, as amended, carried.

12.72 Policy and Finance Committee Report 7, Clause 37, headed “Status of Negotiations of Proposed Sale of Surplus Property Portions of 3326 Bloor Street West and 1226 Islington Avenue (Ward 5 - Etobicoke -Lakeshore)”.

The Clause was submitted without recommendation.

Motion:

(a) Councillor Milczyn moved that Council:

- (1) adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 26, 2006) from the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer; and
- (2) request the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer to report to the meeting of City Council in December 2006, if required.

(b) Councillor Moscoe moved that Council confirm the following, as requested by the Toronto Transit Commission in the communication (September 21, 2006) from the General Secretary, Toronto Transit Commission:

“That:

- (1) the real estate proceeds from the SNC Lavalin real estate transaction will be utilized and/or new capital funds will be available from the City of Toronto to offset the capital costs to implement the Kipling/Islington facilities; and
- (2) funding and pre-approval spending in 2007 of \$1.7 million is confirmed to allow critical design work to proceed.”

Votes:

Motion (a) by Councillor Milczyn carried.

Motion (b) by Councillor Moscoe carried.

The Clause, as amended, carried.

Summary:

Council:

- (1) adopted the staff recommendations contained in the Recommendations Section of the confidential report (September 26, 2006) from the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer. The following staff Recommendations (1), (2), (4), (5), (6), (7) and (8) 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 proposed or pending disposition of land for municipal purposes:

“It is recommended that:

- (1) this report be considered with Clause 37, Report 7 of the Policy and Finance Committee;
- (2) the report from the TTC Commission dated September 20, 2006, entitled ‘Kipling/Islington Redevelopment Strategy - Status of Conceptual Design and Cost Sharing Agreements’, be received for information;
- (4) TTC staff, in consultation with the appropriate City staff, be requested to commence discussion with MT, GO Transit, the Province of Ontario, and the appropriate federal agencies to establish a cost sharing formula associated with the ownership, construction and operation/maintenance of the regional MT/GO bus terminal facility at Kipling Station (including the replacement of TTC facilities to accommodate MT/GO);
- (5) spending authority (cashflow) in the amount of \$1.7 million, financed by debt, up to March 31, 2007, be pre-approved as part of the TTC’s 2007 Capital Budget for the purpose of proceeding with design work associated with the redevelopment of the Bloor/Islington Lands;
- (6) TTC report back with the 2007 Capital Budget Process on what priority this redevelopment project has in the context of the current

TTC's 2006 - 2010 Capital Plan and how this project will affect the 5 year estimates;

- (7) staff report back to the Policy and Finance and Budget Committee in January 2007 with a business case regarding the proposed Kipling/Islington Redevelopment Strategy and on the status of the cost-sharing negotiations; and
 - (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;
- (2) confirmed the following, as requested by the Toronto Transit Commission in the communication (September 21, 2006) from the General Secretary, Toronto Transit Commission:

“That:

- (1) the real estate proceeds from the SNC Lavalin real estate transaction will be utilized and/or new capital funds will be available from the City of Toronto to offset the capital costs to implement the Kipling/Islington facilities; and
 - (2) funding and pre-approval spending in 2007 of \$1.7 million is confirmed to allow critical design work to proceed.”; and
- (3) requested the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer to report to the meeting of City Council in December 2006, if required.

12.73 Administration Committee Report 4, Clause 45, headed “Long Term Land Lease of a Portion of Basin Street, West of Bouchette Street and a Portion of Saulter Street South, Extending Northerly from Basin Street to Commissioners Street - Status of Negotiations (Ward 30 - Toronto -Danforth)”.

Motion:

Councillor Fletcher moved that the Clause be amended by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (September 20, 2006) from the Chief Corporate Officer:

‘It is recommended that:

- (1) the City enter into a ninety-nine (99) year lease agreement with TEDCO for a portion of Basin Street, west of Bouchette Street and a

portion of Saulter Street South, shown as Parts 1, 2 and 3 on Sketch No. PS-2005-135 (the “Highways”), substantially on the terms and conditions outlined in Appendix “A” to this report and on such further terms as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor;

- (2) authority be granted to the Chief Corporate Officer to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matter (including their consent) to City Council for its determination and direction; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Fletcher carried.

The Clause, as amended, carried.

12.74 Toronto and East York Community Council Report 7, Clause 38, headed “Status Report - Appeal of Official Plan and Zoning By-law - Bridgepoint Health and City of Toronto, 430 Broadview Avenue, 14 St. Mathews Road and 548, 550, 558, 562 Gerrard Street East (Ward 30 - Toronto-Danforth)”.

The Clause was submitted without recommendation.

Motion:

Councillor Fletcher moved that Council adopt the following staff recommendations contained in the Recommendations Section of the report (September 25, 2006) from the City Solicitor:

“It is recommended that City Council:

- (1) authorize the City Solicitor and necessary staff to attend before the Ontario Municipal Board in support of the draft plan of subdivision and conditions of subdivision approval substantially in accordance with Attachments 1 and 2 of this report; and
- (2) authorize, during the Council Election, the Chief Planner and Executive Director, City Planning, in consultation with City Solicitor, to approve terms of settlement that would result in the comprehensive redevelopment of the Bridgepoint Health site and surrounding lands substantially in accordance with Council’s decision at its meeting of January 31, February 1 and 2, 2006

(Report 1, Clause 2 TEYCC).”

Votes:

The motion by Councillor Fletcher carried.

The Clause, as amended, carried.

Deputy Mayor Bussin in the Chair.

12.75 Works Committee Report 6, Clause 5, headed “Planning Study for an Expanded SSO Processing System Status Report”.

Motion:

Councillor Carroll moved that the Clause be amended by deleting Recommendation (b) of the Works Committee, and replacing it with the following:

“(b) City Council adopt Recommendation (2) contained in the report (August 25, 2006) from the General Manager, Solid Waste Management Services; and”.

Votes:

The motion by Councillor Carroll carried.

The Clause, as amended, carried.

12.76 Planning and Transportation Committee Report 6, Clause 5, headed “Don Mills Road Transit Improvements Environmental Assessment Draft Terms of Reference (Don Valley East, Don Valley West, Toronto Centre -Rosedale, Toronto-Danforth)”.

Motion:

Councillor Rae moved that the Clause be amended by deleting Recommendation (1) of the Planning and Transportation Committee and replacing it with the following:

“(1) the study be of transit improvements for a continuous service between Don Mills Station (Sheppard subway) and the Downtown Core, to be carried out as an integrated and co-ordinated environmental assessment study of this continuous transit service along with the environmental assessments for the Waterfront and on Kingston Road; in particular, the combined environmental assessments will examine and evaluate transit needs and connections. The Chief Planner and Executive Director is directed to modify the Terms of Reference for the Don Mills EA to reflect the description of the aforementioned undertaking and the integration and co-ordination between the

EAs, which will include exchange of public/stakeholder input, updates and links in public consultation processes and consistency of evaluation criteria;”.

Votes:

Adoption of the motion by Councillor Rae:

Yes - 37
Councillors: Ainslie, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Walker, Watson
No - 0

Carried, without dissent.

Adoption of the Clause, as amended:

Yes - 37
Councillors: Ainslie, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Walker, Watson
No - 2
Councillors: Holyday, Ootes

Carried by a majority of 35.

12.77 North York Community Council Report 7, Clause 89, headed “Ontario Municipal Board Hearing - Site Plan Application - 2901 Bayview Avenue (Ward 24 - Willowdale)”.

Motion:

Councillor Shiner moved that the Clause be amended by adding the following:

“That Council adopt the following Recommendation (2) contained in the Recommendations Section of the report (September 26, 2006) from the City Solicitor:

- “(2) Council direct appropriate City staff, including City Planning staff, and the City Solicitor to investigate outstanding site plan issues and attempt to reach a resolution with the Applicant.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

12.78 Toronto and East York Community Council Report 7, Clause 19, headed “Designation of Queen Street West, between University Avenue and Bathurst Street, as a Heritage Conservation District under Part V of the *Ontario Heritage Act* (Ward 20 - Trinity-Spadina)”.

Motion:

Councillor Palacio moved that the Clause be referred to the next meeting of the Toronto Preservation Board, for subsequent submission to the Toronto and East York Community Council, and:

- (a) the Manager of the Toronto Heritage Preservation Board be requested to arrange a meeting with the affected business property owners between Bathurst Street and University Avenue to inform them about the benefits or constraints of the proposed Heritage Preservation and to answer any questions; and
- (b) the Chief Planner and Executive Director, City Planning, be requested to report directly to that meeting with further recommendations that will address their concerns on the designation of Queen Street West between University Avenue and Bathurst Street as a Heritage Conservation District under Part V of the *Ontario Heritage Act* (Ward 20 - Trinity Spadina).

Vote on Deferral:

Adoption of the motion by Councillor Palacio:

Yes - 21	
Councillors:	Barron, Bussin, Del Grande, Feldman, Grimes, Hall, Holyday, Jenkins, Li Preti, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Saundercook, Soknacki, Stintz, Thompson, Watson
No - 14	
Councillors:	Ainslie, Augimeri, Carroll, Cowbourne, Davis, Di Giorgio, Giambrone, Kelly, McConnell, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 7.

12.79 Policy and Finance Committee Report 7, Clause 12, headed “Steps Needed to Develop a Western Waterfront Master Plan (Wards 13 and 14 Parkdale-High Park) and a City-Wide Integrated Beach Management Strategy (Wards 6, 13, 14, 19, 20, 28, 30, 32, 36, 43 and 44)”.

Motion:

Councillor Watson moved that the Clause be amended by adding to Recommendation (2) of the Policy and Finance Committee, the words “other than those already approved by City Council” after the word “measures”, so that Recommendation (2) now reads as follows:

“(2) the Master Plan be expedited so that its results may be available prior to any further permanent measures, other than those already approved by City Council, affecting the Western Beaches being undertaken;”.

Votes:

Adoption of the motion by Councillor Watson:

Yes - 33 Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cowbourne, Davis, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 3 Councillors:	Mihevc, Moscoe, Silva

Carried by a majority of 30.

Adoption of the Clause, as amended:

Yes - 36 Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cowbourne, Davis, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Silva, Soknacki, Stintz, Thompson, Walker, Watson
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No - 0

Carried, without dissent.

12.80 Policy and Finance Committee Report 7, Clause 26, headed “Amendments to Code of Conduct for Members of Council”.

The Clause was submitted without recommendation.

Motions:

(a) Councillor Moscoe moved that Council:

- (1) adopt the following recommendations contained in the Recommendations Section of the report (September 21, 2006) from the Integrity Commissioner, subject the Code of Conduct in Appendix I being approved in principle:

“It is recommended that:

- (1) the proposed amendments to the Code of Conduct for Members of Council as set out in Appendix I be adopted, and except as specifically designated in that Code, come into force on the date of the coming into force of the *City of Toronto Act, 2006*;
- (2) the Code of Conduct for Members of Council apply to Council Members’ staff, and the City Manager, in consultation with the City Solicitor, the Executive Director for Human Resources and the Integrity Commissioner report to the Executive Committee on the steps required to implement this policy, including any recommendations for legislative amendments;
- (3) any contracts for staff of Members of Council entered into or renewed for the new term of Council include provisions that will require compliance with any applicable Code of Conduct as adopted by Council from time to time;
- (4) the Council Code of Conduct Complaint Protocol be extended to apply to complaints against members of local boards (restricted definition) as provided for in the *City of Toronto Act, 2006*;
- (5) the Council Code of Conduct Complaint Protocol include a provision that provides Council with authority to vary any penalty that the Integrity Commissioner has recommended for a violation of the Code of Conduct for Members of Council but not to refer the Integrity Commissioner’s recommendation other than back to the Integrity

Commissioner;

- (6) the Integrity Commissioner prepare a report for the first meeting of the Executive Committee following the swearing in of the new Council on the ramifications of any changes in the Code of Conduct for Members of Council for the Council Code of Conduct Complaint Protocol;
 - (7) the Integrity Commissioner, as part of the process culminating in the mandatory two year review of the *City of Toronto Act, 2006*, keep under review the scope of penalties for violations of the Code of Conduct and, in particular, those recommended by the Bellamy Commission that require specific legislative authority in that Act; and
 - (8) the City urge the appropriate authorities within the provincial government to either modernize the *Municipal Conflict of Interest Act* or confer on the City of Toronto authority to create its own conflict of interest regime in place of or supplementary to that Act.”; and
- (2) request the City Manager to report to the Executive Committee in January 2007, for consideration by City Council in January 2007, on an “Appeal Mechanism” and “Legal Support Program” to be endorsed by City Council; upon Council’s approval of the Appeal Mechanism and Legal Support Program, the Code of Conduct shall come into effect.
- (b) Councillor Davis moved that motion (a) by Councillor Moscoe be amended by inserting in Appendix I, headed “Revised Code of Conduct for Members of Council”, to the report (September 21, 2006) from the Integrity Commissioner, the following Section VIII from the Appendix in Appendix IV and renumbering it as new Section IX, entitled “Conflicts of Interest and Apparent Conflicts of Interest”:

“(IX) Members of Council are bound by the terms of the *Municipal Conflict of Interest Act*. This legislation regulates conflicts of interest arising out of direct and indirect pecuniary interests on the part of a member and her or his immediate family (parents, spouses, and children) in relation to matters coming before Council. The Act creates its own complaint mechanism by way of application to a judge. It does not, however, exhaust the range of impermissible conflicts of interest.

Involvement in matters before Council in which one’s family (beyond a parent, spouse, or child), friends, and associates, business or otherwise have an interest may give rise to a conflict of interest. Employment by or membership in an outside organization may also create situations which are incompatible with a member’s official duties. Other forms of preferential treatment or attempts to secure preferential treatment for family members,

friends, or associates, business or otherwise can give rise to conflict of interest.

It is also important that members of Council recognize that their status requires them to be beyond reproach in such matters and that they avoid situations giving rise to an apparent conflict of interest. An apparent conflict of interest is one where there could be a serious apprehension on the part of reasonably informed persons that a conflict of interest exists.

In matters coming before Council (or a committee or City agency, board or commission) in which a member has a conflict of interest or there exists an apparent conflict of interest, that member should declare a conflict and refrain from participation in debate and voting. In other situations, such as requests for preferential treatment) the member should refrain from any involvement.

For the purposes of this provision, ‘interest’ does not include a matter:

- (a) that is of general application,
 - (b) that affects a member of Council, his or her family members, friends or associates, business or otherwise as one of a broad class of persons, or
 - (c) that concerns the remuneration or benefits of a Member of Council, his or her family members, friends or associates, business or otherwise.”
- (c) Councillor Mammoliti moved that:
- (1) Council request the Integrity Commissioner to report to the first meeting of City Council in January 2007:
 - (a) on a more specific Councillors’ Disclosure Policy for assets and liabilities similar to the provincial and federal governments’ policies; and
 - (b) providing an explanation on the difference between Councillors using their office budget rather than spending monies out of their own personal accounts, and elaborate on possible sanctions to Councillors who chose to pay for their own expenditures outside their allocated Councillors’ Global Office Budget; and
 - (2) motion (a) by Councillor Moscoe be amended to provide that legal representation be available to represent Councillors at Ontario Municipal Board hearings and at any other tribunal or board.

Ruling by Deputy Mayor:

Deputy Mayor Bussin ruled Part (2) of motion (c) by Councillor Mammoliti out of order as Council has already requested staff to report on that matter.

Motions:

- (d) Councillor Kelly moved that motion (a) by Councillor Moscoe be amended to provide that all references to “appearance of violations” be deleted from the Code of Conduct for Members of Council, and that such concept be referred to the appropriate Committee in 2007.
- (e) Councillor Mihevc moved that Council:
 - (1) direct that the Code of Conduct for Members of Council include, in principle, Conflict of Interest provisions, but exclude “apparent” Conflict of Interest provisions; and
 - (2) request the Integrity Commissioner, in consultation with the City Solicitor, to report to the Executive Committee in the first quarter of 2007 on possible provisions.
- (f) Councillor Giambrone moved that Council request the Integrity Commissioner to monitor the impact of the changes to the Code of Conduct, evaluate whether other changes are necessary, and generally keep the Code of Conduct under review, and report to Council, through the appropriate successor Committee, no later than July 2007.

Permission to Withdraw Motions:

Councillor Davis, with the permission of Council, withdrew her motion (b).

Councillor Kelly, with the permission of Council, withdrew his motion (d).

Votes:

Adoption of motion (a) by Councillor Moscoe:

Yes - 31	
Mayor:	Miller
Councillors:	Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Hall, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Stintz, Walker, Watson

<p>No - 5 Councillors: Davis, Holyday, Mihevc, Ootes, Soknacki</p>
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Carried by a majority of 26.

Adoption of Part (1)(a) of motion (c) by Councillor Mammoliti:

<p>Yes - 31 Mayor: Miller Councillors: Augimeri, Barron, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Holyday, Jenkins, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Walker, Watson</p>
<p>No - 5 Councillors: Cowbourne, Hall, Kelly, Lindsay Luby, Ootes</p>

Carried by a majority of 26.

Adoption of Part (1)(b) of motion (c) by Councillor Mammoliti:

<p>Yes - 29 Mayor: Miller Councillors: Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Hall, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Stintz, Watson</p>
<p>No - 7 Councillors: Feldman, Holyday, Nunziata, Ootes, Pitfield, Soknacki, Walker</p>

Carried by a majority of 22.

Adoption of motion (e) by Councillor Mihevc:

<p>Yes - 28 Mayor: Miller Councillors: Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Hall, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Soknacki, Walker</p>
<p>No - 8</p>

Councillors: Feldman, Holyday, Palacio, Pitfield, Saundercook, Shiner, Stintz, Watson

Carried by a majority of 20.

Motion (f) by Councillor Giambrone carried.

Adoption of the Clause, as amended:

Yes - 36
Mayor: Miller
Councillors: Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Walker, Watson
No - 0

Carried, without dissent.

Summary:

Council:

- (1) adopted the following recommendations contained in the Recommendations Section of the report (September 21, 2006) from the Integrity Commissioner, subject the Code of Conduct in Appendix I being approved in principle:

“It is recommended that:

- (1) the proposed amendments to the Code of Conduct for Members of Council as set out in Appendix I be adopted, and except as specifically designated in that Code, come into force on the date of the coming into force of the *City of Toronto Act, 2006*;
- (2) the Code of Conduct for Members of Council apply to Council Members’ staff, and the City Manager, in consultation with the City Solicitor, the Executive Director for Human Resources and the Integrity Commissioner report to the Executive Committee on the steps required to implement this policy, including any recommendations for legislative amendments;
- (3) any contracts for staff of Members of Council entered into or renewed for the new term of Council include provisions that will require compliance with any applicable Code of Conduct as adopted by

Council from time to time;

- (4) the Council Code of Conduct Complaint Protocol be extended to apply to complaints against members of local boards (restricted definition) as provided for in the *City of Toronto Act, 2006*;
 - (5) the Council Code of Conduct Complaint Protocol include a provision that provides Council with authority to vary any penalty that the Integrity Commissioner has recommended for a violation of the Code of Conduct for Members of Council but not to refer the Integrity Commissioner's recommendation other than back to the Integrity Commissioner;
 - (6) the Integrity Commissioner prepare a report for the first meeting of the Executive Committee following the swearing in of the new Council on the ramifications of any changes in the Code of Conduct for Members of Council for the Council Code of Conduct Complaint Protocol;
 - (7) the Integrity Commissioner, as part of the process culminating in the mandatory two year review of the *City of Toronto Act, 2006*, keep under review the scope of penalties for violations of the Code of Conduct and, in particular, those recommended by the Bellamy Commission that require specific legislative authority in that Act; and
 - (8) the City urge the appropriate authorities within the provincial government to either modernize the *Municipal Conflict of Interest Act* or confer on the City of Toronto authority to create its own conflict of interest regime in place of or supplementary to that Act.”;
- (2) requested the City Manager to report to the Executive Committee in January 2007, for consideration by City Council in January 2007, on an ‘Appeal Mechanism’ and ‘Legal Support Program’ to be endorsed by City Council; upon Council’s approval of the Appeal Mechanism and Legal Support Program, the Code of Conduct shall come into effect;
 - (3) directed that the Code of Conduct for Members of Council include, in principle, Conflict of Interest provisions, but exclude “apparent” Conflict of Interest provisions; and requested the Integrity Commissioner, in consultation with the City Solicitor, to report to the Executive Committee in the first quarter of 2007 on possible provisions; and
 - (4) requested the Integrity Commissioner to:
 - (i) report to the first meeting of City Council in January 2007:

- (a) on a more specific Councillors' Disclosure Policy for assets and liabilities similar to the provincial and federal governments' policies; and
 - (b) providing an explanation on the difference between Councillors using their office budget rather than spending monies out of their own personal accounts, and elaborate on possible sanctions to Councillors who chose to pay for their own expenditures outside their allocated Councillors' Global Office Budget; and
- (ii) monitor the impact of the changes to the Code of Conduct, evaluate whether other changes are necessary, and generally keep the Code of Conduct under review, and report to Council, through the appropriate successor Committee, no later than July 2007.

Mayor Miller in the Chair.

12.81 Etobicoke York Community Council Report 7, Clause 35, headed "3500 Eglinton West (former Kodak Canada Site) Application for Demolition Approval; Applicant: MHPH Project Managers (R. Coates); Owner: Zeehan Capital Inc., (Ward 12 - York South-Weston)".

Motion:

- (a) Councillor Di Giorgio moved that the Clause be amended by deleting Recommendation (1) contained in the report (August 22, 2006) from the Director, Community Planning, Etobicoke York District, and replacing it with the following:
 - “(1) approve the application to demolish the buildings at 3500 Eglinton Avenue West, save and except for the Employees Building (also known as Building Number 9), pursuant to By-law No. 3102-95 of the former City of York, subject to:
 - (a) the owner providing an undertaking indicating that the owner, or any party acting on its behalf, will not appeal, prior to the next meeting of Etobicoke York Community Council, a City Council decision to not approve the demolition application for the Employees Building, and that they will consult with the community on the future of the Employees Building; and
 - (b) the owner entering into a beautification agreement containing a beautification plan with the City to be registered on title to the lands prior to a demolition permit being issued;”.

- (b) Councillor Nunziata moved that Part (1)(a) of motion (a) by Councillor Di Giorgio be amended by deleting all of the words after the words “application for the Employees Building”, and replacing them with the words “and agreeing to a consultation meeting with the Community, Councillor Nunziata, Councillor Di Giorgio and City staff on the future of the Employees Building”, so that Part (1)(a) now reads as follows:

“(1)(a) the owner providing an undertaking indicating that the owner, or any party acting on its behalf, will not appeal, prior to the next meeting of Etobicoke York Community Council a City Council decision to not approve the demolition application for the Employees Building, and agreeing to a consultation meeting with the Community, Councillor Nunziata, Councillor Di Giorgio and City staff on the future of the Employees Building; and”.

Votes:

Motion (b) by Councillor Nunziata carried.

Motion (a) by Councillor Di Giorgio, as amended, carried.

The Clause, as amended, carried.

Summary:

Council amended this Clause by deleting Recommendation (1) contained in the report (August 22, 2006) from the Director, Community Planning, Etobicoke York District, and replacing it with the following:

- “(1) approve the application to demolish the buildings at 3500 Eglinton Avenue West, save and except for the Employees Building (also known as Building Number 9), pursuant to By-law No. 3102-95 of the former City of York, subject to:
- (a) the owner providing an undertaking indicating that the owner, or any party acting on its behalf, will not appeal, prior to the next meeting of Etobicoke York Community Council a City Council decision to not approve the demolition application for the Employees Building, and agreeing to a consultation meeting with the Community, Councillor Nunziata, Councillor Di Giorgio and City staff on the future of the Employees Building; and
 - (b) the owner entering into a beautification agreement containing a beautification plan with the City to be registered on title to the lands prior to a demolition permit being issued;”.

12.82 **Etobicoke York Community Council Report 7, Clause 36, headed “3500 Eglinton Avenue (Employees’ Building, Canadian Kodak Co.); Inclusion on the City of Toronto Inventory of Heritage Properties and Intention to Designate under Part IV of the Ontario Heritage Act (Ward 12 - York South-Weston)”.**

Motion:

Councillor Di Giorgio moved that the Clause be referred back to the Etobicoke York Community Council for further consideration, with a request that the Chief Planner and Executive Director, City Planning, report on the following Recommendation (2):

- “(2) request the applicant to undertake to preserve aspects of the buildings on the site and incorporate them into future development.”

Vote on Referral:

The motion by Councillor Di Giorgio carried.

12.83 **Toronto and East York Community Council Report 8, Clause 1, headed “Final Report - King Spadina Secondary Plan Review (Ward 20 - Trinity -Spadina)”.**

Motion:

Councillor Silva moved that the Clause be amended:

- (1) in accordance with the following motion:

“**WHEREAS** the Toronto and East York Community Council (TEYCC) at its meeting of September 21, 2006, adopted a motion to except certain developments from recommended changes to Section 7 of By-law 438-86 being the RA District Zoning for the King-Spadina Area; and

WHEREAS additional development applications have been identified which were approved prior to the introduction of the proposed changes to Section 7 of Zoning By-law No. 438-86; and

WHEREAS it is not intended that the proposed changes to Section 7 of Zoning By-law No. 438-86 that are recommended in the report would apply to these additional development approvals in the King-Spadina Area;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) amend Recommendation (4) of the Toronto and East York Community Council respecting the King- Spadina Secondary Plan Review to authorize the City Solicitor to replace the Section 12 (1) exception to be incorporated

into the Zoning By-law Amendment substantially in accordance with the following Section 12(1) exceptions:

‘ _____. to prevent the erection or use of a building or structure on the lands known municipally in 2005 listed below which complies with all other provisions of this by-law but which does not comply with the provisions of Section 7(3) PART II 8 and Section 7(3) PART III 2 of this by-law, provided:

- (i) the building or structure is erected and used in accordance with the applicable Ontario Municipal Board or Committee of Adjustment decision listed below;
- (ii) the extent of any non-compliance is limited to any inconsistency between such decisions and Section 7(3) PART II 8 and/or Section 7(3) PART III 2; and
- (iii) the first building permit to erect such building permitted by this paragraph issued no later than December 31, 2008:
 - A. 126 Simcoe Street and 11-15 Nelson Street, pursuant to Committee of Adjustment decisions dated April 4, 2003 being File No. A0108/03TEY and dated December 15, 2005 being File No. A0863/05TEY provided no part of such building or structure, including the structures described in Section 4(2) (a) is located outside of the building envelopes or above the height limits above grade shown on the map below [map to be inserted per Committee of Adjustment Decision];
 - B. 445 Adelaide Street West, pursuant to Committee of Adjustment decision dated December 14, 2005, being File No. A0853/05TEY;
 - C. 51 Bathurst Street, pursuant to Committee of Adjustment decision dated October 21, 2005, being File No. A0515/05TEY;
 - D. 24 Charlotte Street, pursuant to Committee of Adjustment decision dated December 12, 2005, being File No. A0728/05TEY;
 - E. 478 King Street West, pursuant to OMB Decision No. 0248, issued January 24, 2006, respecting Committee of Adjustment File Nos. A0450/05TEY and A0450/05TEY;
 - F. 92 Peter Street, pursuant to Committee of Adjustment decision

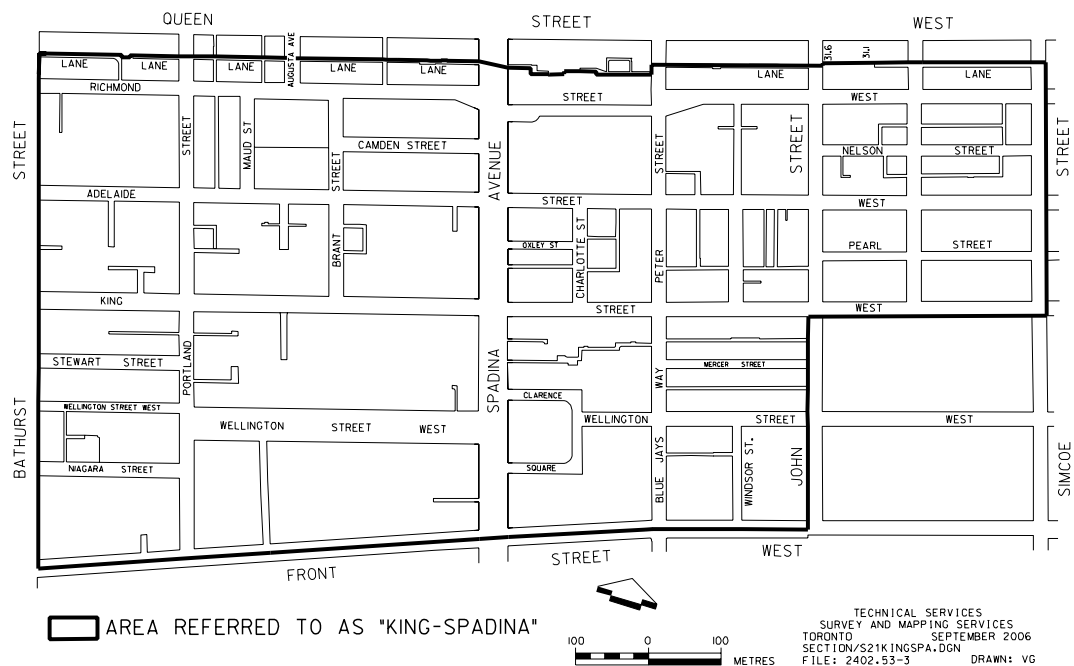
dated December 14, 2005, being File No. A0854/05TEY; and

- G. 400 Wellington Street West, pursuant to OMB Decision No. 2477, issued September 21, 2005, respecting Committee of Adjustment File No. A0088/05TEY;'

'____. to prevent the erection or use of a building or structure which complies with all other provisions of this by-law, as amended by Zoning By-law No. 454-2004, on the land municipally known in the year 2005 as 326 and 358 King Street West, but which does not comply with the provisions of Section 7(3) PART II 8(i), Section 7(3) PART III 2 or Section 7(3) PART VI 1.'; and

'____. to prevent the erection of use of a building or structure which complies with all other provisions of this by-law, as amended by Zoning By-law No. 95-2006, on the land municipally known in the year 2005 as 21 Widmer Street, but which does not comply with the provisions of Section 7(3) PART II 8 or Section 7(3) PART III 2.';

- (2) amend Section 2(1) Definitions of By-law 438-86, as amended, of the former City of Toronto by deleting the map included within the definition of the term 'King-Spadina' and inserting in its place the following map:



- (3) determine that no further notice for such amendments is required, in accordance with Section 34(17) of the *Planning Act*; and

- (4) authorize the City Solicitor to make any necessary changes to the wording of the exceptions and final Bills as may be required to give effect to the recommendations adopted by Council in this matter.”; and
- (2) by adding the following:

“That the Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Transportation Committee on the following:

 - (1) how a hierarchy of principles and rules governing King-Spadina planning can be applied in practice, to ensure a clear process reflecting agreed upon priorities;
 - (2) ways of creating an ongoing and transparent process for community involvement at all stages of the development process;
 - (3) in conjunction with the Deputy City Manager and Chief Financial Officer, on alternative methods of funding these initiatives, including tax increment financing, community and public/private partnerships, among others; and
 - (4) in conjunction with the appropriate officials from Public Works, Parks, Forestry and Recreation and TTC, on means of synchronizing and co-ordinating the King-Spadina Plan with the activities of these other agencies, and plans for the surrounding areas.”

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

12.84 Toronto and East York Community Council Report 7, Clause 17, headed “Final Report - Proposal to Amend By-law 438-86 and Modify the Central Waterfront Secondary Plan for the Lands between Lower Jarvis Street and Small Street to the south of Lake Shore Boulevard East (Ward 28 - Toronto Centre-Rosedale)”.

Motion:

Councillor McConnell moved that the Clause be amended by deleting the recommendation of the Toronto and East York Community Council, and replacing it with the following staff recommendations contained in the Recommendations Section of the report (September 27, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

- (1) approve the modification of the Central Waterfront Secondary Plan, Map C and Map E, Section 2.6 and Schedule A, substantially in accordance with the Maps C and E in Attachment 1, modifications to (P51), Section 2.6 of the Central Waterfront Secondary Plan and the revised Schedule A in Attachment No. 1;
- (2) amend Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft zoning by-law amendment in Attachment No. 2;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan modification and/or draft zoning by-law amendment as may be required;
- (4) at the request of landowners whose properties abut the Lake Shore Boulevard East/Gardiner Expressway corridor and subject to a final design decision on the function of the Lake Shore Boulevard East/Gardiner Expressway corridor, a review of the Precinct Plan and zoning may be undertaken on the understanding that the costs associated with this work will be borne by the applicant(s) and that the final results of the review will be based on no inferred density or be 'density neutral' and will address primarily issues of the impact of such changes on the permitted built form and uses of the adjacent development;
- (5) authorize the Chief Planner and Executive Director, City Planning to undertake community consultation on the design guidelines for the East Bayfront – West Precinct area and report back to Council in early 2007 on the results of this work;
- (6) authorize the City Solicitor to seek approval of the Central Waterfront Secondary Plan with respect to the East Bayfront – West Precinct with modifications as may be appropriate in accordance with Recommendation (1) of this report and with the material presented in this report;
- (7) direct the Chief Planner and Waterfront Project Director, in conjunction with the Toronto Waterfront Revitalization Corporation, to bring forward a report to Council addressing public sector strategies to ensure the continuing supply of affordable rental housing in East Bayfront beyond the minimum 25 year stipulation required in the by-law for land-owners who elect to provide the 20 percent affordable rental housing on their site;
- (8) recommend to the Toronto Waterfront Revitalization Corporation, the establishment of a Waterfront Affordable Housing Task Force, focused on strategies to realize the Waterfront's affordable housing objectives with membership comprised of representatives from the federal and provincial

government partners, the relevant City departments including the City's Affordable Housing Office, Toronto Community Housing Corporation, non-profit sector and local community;

- (9) direct the Chief Planner and Waterfront Project Director, in conjunction with the Toronto Waterfront Revitalization Corporation, to bring forward a report to Council addressing public sector strategies to encourage private development in East Bayfront to exceed the LEEDS Silver Certification requirement in the by-law; and
- (10) recommend that no further notice be given in respect to the amendments to Zoning By-law 438-86 for the former City of Toronto recommended herein."

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

Deputy Mayor Pantalone in the Chair.

12.85 Policy and Finance Committee Report 7, Clause 52, headed "Recycling Container Capacity".

Motions:

- (a) Councillor Del Grande moved that the Clause be amended by adding to Recommendation (2) contained in the report (August 23, 2006) from the General Manager, Solid Waste Management Services, the words "subject to priority being given to completion of the Source Separated Organics Facility Project before rolling out the new collection container system for Blue Box materials", so that Recommendation (2) now reads as follows:

“(2) approval be granted to roll-out a City-wide semi-automated cart system for Blue Box materials for single-family homes between fall 2007 and fall 2008 subject to pre-approval of \$28.5 million in capital funds and \$330,000.00 in 2007 operating funds and confirmation from the pilot that carts are operationally acceptable in the downtown core, subject to priority being given to completion of the Source Separated Organics Facility Project before rolling out the new collection container system for Blue Box materials; and”.

- (b) Councillor Carroll moved that the Clause be amended by adding the following:

“That the General Manager, Solid Waste Management Services, be requested to report

to the second meeting of the Public Works and Infrastructure Committee on measures to address potential problems arising from property challenges and mobility challenges, including methods used in other cities using the cart program.”

Vote Be Now Taken:

Councillor Saundercook moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote be now taken, the vote upon which was taken as follows:

Yes - 25	
Councillors:	Ainslie, Barron, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Mammoliti, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Saundercook, Silva, Thompson
No - 7	
Councillors:	Cho, Feldman, Minnan-Wong, Palacio, Shiner, Walker, Watson

Carried, more than two-thirds of Members present having voted in the affirmative.

Votes:

Adoption of motion (a) by Councillor Del Grande:

Yes - 11	
Councillors:	Cho, Del Grande, Feldman, Kelly, Li Preti, Minnan-Wong, Palacio, Pitfield, Saundercook, Shiner, Watson
No - 23	
Councillors:	Ainslie, Barron, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Mammoliti, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Silva, Thompson, Walker

Lost by a majority of 12.

Adoption of motion (b) by Councillor Carroll:

Yes - 34	
Councillors:	Ainslie, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Saundercook, Shiner, Silva, Thompson, Walker, Watson

No - 0

Carried, without dissent.

The Clause, as amended, carried.

12.86 Administration Committee Report 6, Clause 3, headed “Contracts for City Advertising in Media Venues and Daily Ethnic and Community Newspapers”.

Motions:

(a) Councillor Palacio moved that the Clause be amended by:

(1) rescinding the following Action Taken by the Administration Committee:

“The Administration Committee requested the City Manager and the Director, Purchasing and Materials Management, to report to the appropriate committee on guidelines for advertising in ethnic and community newspapers, including comment on how much is spent per ethnic area and the possibility of increasing the amount spent on advertising in ethnic and community newspapers from 5 percent of the annual budget to 10 percent by 2009.”; and

(2) adding the following:

“That:

(1) City-wide print advertising campaigns also contain an ethnic print media advertising component, covering the six to ten languages most frequently spoken in Toronto, as identified by Statistics Canada data; and

(2) the Director, Strategic Communications be requested to consider the linguistic composition of neighbourhoods in the placement of Ward specific advertising based on input from the local Councillor, Statistics Canada data and Ward profiles.”

(b) Councillor Mammoliti moved that the Clause be amended by adding the following:

“That the Chief Corporate Officer be requested to report to the next regular meeting of City Council, through the appropriate Committee, on the possibility of renting office space in the Colin Vaughan Media Centre at City Hall, for the ethnic community.”

Ruling by Deputy Mayor:

Deputy Mayor Pantalone ruled motion (b) by Councillor Mammoliti out of order as it does not relate to the Clause under consideration.

Councillor Mammoliti challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 26	
Councillors:	Ainslie, Augimeri, Barron, Cho, Cowbourne, Davis, Del Grande, Di Giorgio, Feldman, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Silva, Stintz, Thompson, Walker
No - 7	
Councillors:	Grimes, Mammoliti, Minnan-Wong, Ootes, Palacio, Saundercook, Watson

Carried by a majority of 19.

Motions:

(c) Councillor Davis moved that the Clause be amended by adding the following:

“That the City include a Bangladeshi newspaper or newspapers in the list of advertising vendors.”

(d) Councillor Cho moved that the Clause be amended by adding the following:

“That the Director, Strategic Communications, be requested to canvass Members of Council to determine local ethnic media which could be added to the advertising vendors list.”

(e) Councillor Thompson moved that the Clause be amended by adding the following:

“That the City include a Filipino newspaper or newspapers in the list of advertising vendors.”

(f) Councillor Hall moved that the Clause be amended by adding the following:

“That the City include a Punjabi newspaper or newspapers in the list of advertising vendors.”

Permission to Withdraw Motions:

Councillor Thompson, with the permission of Council, withdrew his motion (e).

Councillor Hall, with the permission of Council, withdrew her motion (f).

Votes:

Adoption of Part (1) of motion (a) by Councillor Palacio:

Yes - 14	
Councillors:	Barron, Cho, Giambrone, Grimes, Hall, Jenkins, Li Preti, Mammoliti, Milczyn, Nunziata, Palacio, Pantalone, Pitfield, Thompson
No - 22	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Holyday, Kelly, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Ootes, Rae, Saundercook, Stintz, Walker, Watson

Lost by a majority of 8.

Adoption of Parts (2) and (3) of motion (a) by Councillor Palacio:

Yes - 33	
Councillors:	Ainslie, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Stintz, Thompson, Walker, Watson
No - 3	
Councillors:	Holyday, Minnan-Wong, Ootes

Carried by a majority of 30.

Motion (c) by Councillor Davis carried.

Adoption of motion (d) by Councillor Cho:

Yes - 35	
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Stintz, Thompson, Walker, Watson

No - 2 Councillors: Holyday, Minnan-Wong

Carried by a majority of 33.

Adoption of the Clause, as amended:

Yes - 35 Councillors: Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Stintz, Thompson, Walker, Watson

No - 2 Councillors: Holyday, Minnan-Wong

Carried by a majority of 33.

Summary:

Council amended this Clause by adding the following:

“That:

- (1) City-wide print advertising campaigns also contain an ethnic print media advertising component, covering the six to ten languages most frequently spoken in Toronto, as identified by Statistics Canada data;
- (2) the Director, Strategic Communications, be requested to:
 - (i) consider the linguistic composition of neighbourhoods in the placement of Ward specific advertising based on input from the local Councillor, Statistics Canada data and Ward profiles; and
 - (ii) canvass Members of Council to determine local ethnic media which could be added to the advertising vendors list; and
- (3) the City include a Bangladeshi newspaper or newspapers in the list of advertising vendors.”

12.87 Etobicoke York Community Council Report 7, Clause 24, headed “Refusal Report - 1465 Lawrence Avenue West Official Plan Amendment; Applicant: Adam Brown, Sherman Brown (Ward 12 - York South-Weston)”.

Motions:

- (a) Councillor Di Giorgio moved that the Clause be referred back to the Etobicoke York Community Council for further consideration at its meeting in January 2007, and that the City Solicitor be requested to report to the Etobicoke York Community Council at that time, outlining the historical legal issues and agreements between the City and the owner of the property; and
- (b) Councillor Walker moved that the Clause be referred to the Tenant Defence Sub-Committee, or its successor Committee, with a request that the Sub-Committee report to the Etobicoke York Community Council.

Vote on Referrals:

Motion (a) by Councillor Di Giorgio and motion (b) by Councillor Walker carried.

12.88 Scarborough Community Council Report 7, Clause 16, headed “Consent, with Conditions Demolition of a Building on a Designated Property 6601 Steeles Avenue East (Clark-Reesor House) (Ward 42 - Scarborough -Rouge River)”.

The Clause was submitted without recommendation.

Motion:

- (a) Councillor Thompson moved that Council adopt the staff recommendations contained in the Recommendations Section of the report (August 29, 2006) from the Director, Policy and Research, City Planning [as contained in the Clause], as recommended by the Toronto Preservation Board, subject to adding to Recommendation (1) the words “to be allocated to Heritage Preservation in Scarborough” after the word “Program”, so that Recommendation (1) now reads as follows:

“(1) in accordance with Section 34 (1) of the *Ontario Heritage Act*, Council consent to the demolition of the building(s) on the designated property at 6601 Steeles Avenue East provided the owner makes a contribution of \$25,000.00 to the Toronto Heritage Grant Program to be allocated to Heritage Preservation in Scarborough, to be paid before the issuance of the demolition permit under the *Ontario Heritage Act*; and”.

Votes:

The motion by Councillor Thompson carried.

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Thompson, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

(b) Councillor Thompson moved that:

- (1) the above-noted action taken by Council with respect to this Clause, be rescinded; and
- (2) Council adopt the staff recommendations contained in the Recommendations Section of the report (August 29, 2006) from the Director, Policy and Research, City Planning [as contained in the Clause], as recommended by the Toronto Preservation Board, subject to amending Recommendation (1) by deleting the words “Toronto Heritage Grant Program” and replacing them with the words “restoration of the Morrish Store”, so that Recommendation (1) now reads as follows:

“(1) in accordance with Section 34 (1) of the *Ontario Heritage Act*, Council consent to the demolition of the building(s) on the designated property at 6601 Steeles Avenue East provided the owner makes a contribution of \$25,000.00 to the restoration of the Morrish Store, to be paid before the issuance of the demolition permit under the *Ontario Heritage Act*; and”.

Votes:

The motion by Councillor Thompson carried.

The Clause, as amended, carried.

12.89 Toronto and East York Community Council Report 7, Clause 28, headed “Inclusion on the City of Toronto Inventory of Heritage Properties - 1006 Bloor Street West (Paradise Theatre) (Ward 18 - Davenport)”.

The Clause was submitted without recommendation.

Motion:

Councillor Giambrone moved that:

- (1) City Council include the property at 1006 Bloor Street West (Paradise Theatre) on the City of Toronto Inventory of Heritage Properties; and
- (2) the Chief Planner and Executive Director, City Planning, be requested to report to the Toronto and East York Community Council on whether to remove 1006 Bloor Street West (Paradise Theatre) from the City of Toronto Inventory of Heritage Properties.”

Votes:

The motion by Councillor Giambrone carried.

The Clause, as amended, carried.

12.90 Scarborough Community Council Report 7, Clause 4, headed “Request for Fence Exemption - 58 Shandon Drive (Ward 40 - Scarborough Agincourt)”.

Motion:

Councillor Kelly moved that the Clause be amended by deleting the recommendation of the Scarborough Community Council, and that Council adopt the following instead:

“That City Council approve the request for Fence Exemption to Chapter 447 of the Toronto Municipal Code dealing with Fences, for 58 Shandon Drive, subject to the lattice work on the first segment (closest to the front property line) being removed.”

Vote:

Adoption of the Clause, as amended by the motion by Councillor Kelly:

Yes - 32 Councillors:	Ashton, Augimeri, Barron, Bussin, Carroll, Cho, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Thompson, Walker, Watson
No - 1 Councillor:	Del Grande

Carried by a majority of 31.

12.91 Toronto and East York Community Council Report 8, Clause 40, headed “Intention to Designate under the *Ontario Heritage Act* - 48 Abell Street (Ward 18 - Davenport)”.

The Clause was submitted without recommendation.

Motions:

- (a) Councillor Shiner moved that Council adopt the following:

“That Council not proceed to designate 48 Abell Street under Part IV of the *Ontario Heritage Act*.”

- (b) Councillor Giambrone moved that Council adopt the following:

“That:

- (1) City Council state its intention to designate the property at 48 Abell Street (John Abell Factory) under Part IV of the *Ontario Heritage Act*;
- (2) if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the *Ontario Heritage Act*;
- (3) if there are any objections in accordance with Section 29(7) of the *Ontario Heritage Act*, the Clerk be directed to refer the proposed designation to the Conservation Review Board;
- (4) the Chief Planner and Executive Director work with the applicant to retain the historic building without any additions;

- (5) the City Solicitor be authorized to retain any outside consultants which may be required to support this position; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Votes:

Adoption of motion (a) by Councillor Shiner:

Yes - 25 Councillors: Ainslie, Ashton, Barron, Carroll, Cho, Del Grande, Di Giorgio, Feldman, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Rae, Shiner, Silva, Thompson, Walker, Watson
No - 11 Councillors: Cowbourne, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Moscoe, Pantalone, Pitfield, Soknacki

Carried by a majority of 14.

Due to the above decision of Council, motion (b) by Councillor Giambrone was not put to a vote.

The Clause, as amended, carried.

12.92 Administration Committee Report 6, Clause 27, headed “Declaration as Surplus Vacant Land on the West Side of Doris Avenue Between McKee Avenue and Norton Avenue, Abutting 22 Norton Avenue (Ward 23 - Willowdale)”.

Motion:

Councillor Filion moved that the Clause be referred to the Executive Director, Facilities and Real Estate, and that he be authorized to have discussions with the abutting property owner to see if they are interested in a possible land exchange which would preserve or enhance local parkland.

Mayor Miller in the Chair.

Vote on Referral:

Adoption of the motion by Councillor Filion:

Yes - 25	Miller
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Mayor:	
Councillors:	Ainslie, Ashton, Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Fillion, Grimes, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
No - 10	
Councillors:	Del Grande, Di Giorgio, Feldman, Hall, Kelly, Mammoliti, Minnan-Wong, Nunziata, Palacio, Shiner

Carried by a majority of 15.

12.93 Administration Committee Report 6, Clause 17, headed “Compliance with Travel Expense Policy by Staff and Councillors”.

Motion:

Councillor Moscoe moved that the Clause be received.

Vote on Receipt:

The motion by Councillor Moscoe carried.

12.94 Policy and Finance Committee Report 7, Clause 3, headed “Policy on Donations to the City for Community Benefits”.

Motion:

Councillor Moscoe moved that the Clause be amended by adding the following:

“That the City Manager be requested to report to the Executive Committee in January 2007, for consideration by City Council in January 2007, on an ‘Appeal Mechanism’ and ‘Legal Support Program’ to be endorsed by City Council.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

12.95 Policy and Finance Committee Report 7, Clause 82, headed “Other Items Considered by the Committee”.

Procedural Motion:

Councillor Pitfield moved that Council waive the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to consider Item (s), entitled “Feasibility of Enacting a ‘Quality of Life’ By-law to Address Panhandling”.

Vote:

Adoption of the procedural motion by Councillor Pitfield:

Yes - 20	
Councillors:	Ashton, Del Grande, Di Giorgio, Feldman, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Shiner, Soknacki, Stintz, Walker
No - 16	
Mayor:	Miller
Councillors:	Ainslie, Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Filion, Giambrone, Mammoliti, McConnell, Moscoe, Pantalone, Rae, Silva

Lost, less than two-thirds of Members present having voted in the affirmative.

Vote:

The Clause was received, for information.

Deputy Mayor Pantalone in the Chair.

12.96 Economic Development and Parks Committee Report 6, Clause 22, headed “Unsolicited Proposal - Tuggs Incorporated Investment Proposal for Redevelopment of the Eastern Beaches Food Service Facilities (Ward 32 Beaches-East York)”.

Motion:

Councillor Watson moved that the Clause be amended by deleting the recommendation of the Economic Development and Parks Committee, and that Council adopt instead the staff recommendations contained in the Recommendations Section of the report (August 17, 2006) from the General Manager, Parks, Forestry and Recreation.

Votes:

Adoption of the motion by Councillor Watson:

Yes - 9	
Councillors:	Ainslie, Ashton, Del Grande, Feldman, Holyday, Kelly, Lindsay Luby, Milczyn, Watson
No - 23	
Councillors:	Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Jenkins, Mammoliti, McConnell, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Silva, Stintz, Walker

Lost by a majority of 14.

Adoption of the Clause, without amendment:

Yes - 24 Councillors: Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Jenkins, Mammoliti, McConnell, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Silva, Stintz, Walker
No - 8 Councillors: Ainslie, Ashton, Del Grande, Holyday, Kelly, Lindsay Luby, Milczyn, Watson

Carried by a majority of 16.

12.97 Works Committee Report 6, Clause 17, headed “Municipal Access Agreement for Telecommunications Installations - Rogers Communications Inc. (All Wards)”.

Motion:

Councillor Moscoe moved that the Clause be amended by:

- (1) deleting from the recommendation of the Works Committee the words “with the exception of item (11) under the heading ‘Summary of Key Terms’ ”, as the confidential report (September 20, 2006) from the General Manager, Transportation Services provides the clarification requested by the Works Committee; and
- (2) deleting from Recommendation (2) contained in the confidential report (August 28, 2006) from the General Manager, Transportation Services, the word “removal” and replacing it with the word “renewal”.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

Summary:

Council amended this Clause by:

- (1) deleting from the recommendation of the Works Committee the words “with the exception of item (11) under the heading ‘Summary of Key Terms’ ”, as the confidential report (September 20, 2006) from the General Manager, Transportation Services provides the clarification requested by the Works Committee; and
- (2) deleting from Recommendation (2) contained in the confidential report (August 28, 2006) from the General Manager, Transportation Services, the word “removal” and replacing it with the word “renewal”, so that Recommendation (2), which is now public, reads as follows:
 - “(2) By-law 211-74 of the former Municipality of Metropolitan Toronto be amended to repeal the requirement for the payment of special application and annual permit renewal fees by federally regulated CATV companies; and”.

12.98 Administration Committee Report 5, Clause 26a, headed “Potential Acquisition of 1075 Millwood Road”.

The Clause was submitted without recommendation.

Motion:

Councillor Watson moved that Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (July 27, 2006) from the Chief Corporate Officer and the General Manager, Parks, Forestry and Recreation.

Votes:

The motion by Councillor Watson carried.

The Clause, as amended, carried.

Summary:

Council adopted the staff recommendations contained in the Recommendations Section of the confidential report (July 27, 2006) from the Chief Corporate Officer and the General Manager, Parks, Forestry and Recreation. The following staff recommendations contained in the Recommendations Section of the report and Attachment 2 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 the proposed or pending acquisition of land for municipal purposes:

“It is recommended that:

- (1) the Deputy City Manager and Chief Financial Officer and the General Manager, Parks, Forestry and Recreation continue to work with the Leaside Gardens Arena Board on other options to achieve the mutual goal of expanding the inventory of ice in Toronto, through the twinning of the Leaside Arena Gardens in conjunction with the City-wide arena study; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

12.99 Policy and Finance Committee Report 7, Clause 56, headed “Options for Implementing a Mandatory Downspout Disconnection Program (City-wide)”.

Motion:

Councillor Del Grande moved that the Clause be amended by deleting from Recommendation (2) of the Policy and Finance Committee, the words “in principle”, so that Recommendation (2) now reads as follows:

- “(2) approve the Works Committee recommendation contained in the communication (September 11, 2006) from the Works Committee subject to consideration in the 2007 Operating and Capital budget.”

Permission to Withdraw Motion:

Councillor Del Grande, with the permission of Council, withdrew his motion.

Vote:

Adoption of the Clause, without amendment:

Yes - 23	
Councillors:	Ainslie, Barron, Carroll, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Grimes, Hall, Kelly, McConnell, Moscoe, Nunziata, Palacio, Pantalone, Rae, Silva, Soknacki, Stintz, Walker, Watson
No - 2	
Councillors:	Holyday, Ootes

Carried by a majority of 21.

12.100 Economic Development and Parks Committee Report 6, Clause 16, headed “Community Arts Stakeholders Report and Consultation (All Wards)”.

Motion:

- (a) Councillor Moscoe moved that the Clause be amended by adding the following:

“That:

- (1) in future, all the recipients of Arts Grants in excess of \$250,000.00 be required to assign a fixed percentage of their grant to community outreach programs;
 - (2) the matter of establishing the appropriate percentage be referred to the General Manager, Economic Development, Culture and Tourism, for a report to the appropriate successor Committee;
 - (3) included in the outreach policy must be a component that occurs off-site from their home facilities; and
 - (4) the General Manager, Economic Development, Culture and Tourism, be requested to report to the appropriate successor Committee, on options for implementation of this policy.”
- (b) Councillor Soknacki moved that motion (a) by Councillor Moscoe be referred to Deputy City Manager Sue Corke, for a report to the appropriate Committee on the policy considerations of the motion, the report to be presented prior to the 2007 Operating Budget.

Votes:

Motion (b) by Councillor Soknacki carried.

Due to the above decision of Council, motion (a) by Councillor Moscoe was not put to a vote.

The Clause, as amended, carried.

12.101 Economic Development and Parks Committee Report 6, Clause 17, headed “Culture Build Investment Program - Additional Criteria (All Wards)”.

Motions:

- (a) Councillor Moscoe moved that the Clause be amended by adding the following:

“That:

- (1) the community access strategy submitted by applicants be reviewed and evaluated by staff and approved annually; and

- (2) organizations that do not deliver on promised outreach activities be required to appear before the appropriate Committee in order to secure future grants.”
- (b) Councillor Rae moved that motion (a) by Councillor Moscoe be referred to Deputy City Manager Sue Corke for consideration and report to the appropriate Committee.

Votes:

Motion (b) by Councillor Rae carried.

Due to the above decision of Council, motion (a) by Councillor Moscoe was not put to a vote.

The Clause, as amended, carried.

12.102 Planning and Transportation Committee Report 6, Clause 15, headed “Operation of Construction Equipment in Residential Neighbourhoods on Sundays and Statutory Holidays within 100 metres of any Residential Dwelling Units”.

Motions:

- (a) Councillor Moscoe moved that the Clause be amended to provide that the Noise By-law be amended to prohibit the use of construction equipment on Sundays and holidays within 100 metres of any residential dwelling units, excluding the pouring of concrete and large crane work, and necessary municipal work that cannot be performed during working hours.
- (b) Councillor McConnell moved that the Clause be amended by adding the following:
- “That the Executive Director, Municipal Licensing and Standards, in consultation with the General Manager, Transportation Services, be requested to report to the first meeting in 2007 of the Licensing and Standards Committee on any additional regulations, restrictions or exemptions that may be necessary as a result of the implementation of the new by-law.”
- (c) Councillor Soknacki moved that motion (a) by Councillor Moscoe be amended by adding the words “or other emergency” after the word “municipal”, so that motion (a) by Councillor Moscoe now reads as follows:

“That the Noise By-law be amended to prohibit the use of construction equipment on Sundays and holidays within 100 metres of any residential dwelling units, excluding the pouring of concrete and large crane work, and necessary municipal or other emergency work that cannot be performed during working hours.”

- (d) Councillor Carroll moved that the Clause, together with motion (a) by Councillor Moscoe, motion (b) by Councillor McConnell and motion (c) by Councillor Soknacki, be referred to the Executive Director, Municipal Licensing and Standards, in consultation with the General Manager, Transportation Services, for a report to the Licensing and Standards Committee at its first meeting in 2007.

Vote on Referral:

Adoption of motion (d) by Councillor Carroll:

Yes - 20 Councillors: Ainslie, Barron, Carroll, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Holyday, Kelly, Ootes, Palacio, Pantalone, Rae, Shiner, Silva, Soknacki, Stintz, Watson
No - 7 Councillors: Cowbourne, De Baeremaeker, Fletcher, McConnell, Moscoe, Nunziata, Walker

Carried by a majority of 13.

Summary:

Council referred this Clause, together with the following motions, to the Executive Director, Municipal Licensing and Standards, in consultation with the General Manager, Transportation Services for a report to the Licensing and Standards Committee at its first meeting in 2007:

Moved by Councillor McConnell:

“That the Executive Director, Municipal Licensing and Standards, in consultation with the General Manager, Transportation Services, be requested to report to the first meeting in 2007 of the Licensing and Standards Committee on any additional regulations, restrictions or exemptions that may be necessary as a result of the implementation of the new by-law.”

Moved by Councillor Moscoe:

“That the Noise By-law be amended to prohibit the use of construction equipment on Sundays and holidays within 100 metres of any residential dwelling units, excluding the pouring of concrete and large crane work, and necessary municipal work that cannot be performed during working hours.”

Moved by Councillor Soknacki:

“That the motion by Councillor Moscoe be amended by adding the words ‘or other emergency’ after the word ‘municipal’, so that the motion by Councillor Moscoe now reads as follows:

‘That the Noise By-law be amended to prohibit the use of construction equipment on Sundays and holidays within 100 metres of any residential dwelling units, excluding the pouring of concrete and large crane work, and necessary municipal or other emergency work that cannot be performed during working hours.’ ”

12.103 Etobicoke York Community Council Report 7, Clause 22, headed “Final Report - Official Plan Amendment and Rezoning Application - 829, 833, 839 Oxford Street and 156, 160 Evans Avenue; Applicant: CIC Millwork Ltd., Architect: OP Design Inc. (Ward 6 - Etobicoke -Lakeshore)”.

Motions:

- (a) Councillor Holyday moved that the Clause be amended by deleting the recommendations of the Etobicoke York Community Council, and that Council adopt instead the staff recommendations contained in the Recommendations Section of the report (August 28, 2006) from the Director, Community Planning, Etobicoke York District.
- (b) Councillor Nunziata, on behalf of Councillor Grimes, moved that the Clause be amended in accordance with the following motion:

“**WHEREAS** at its meeting on September 13, 2006 Etobicoke York Community Council recommended, in part, that the Section 37 provisions of the proposed zoning by-law amendment require the owner to convey to the City an on-site parkland dedication of 1,400 square metres, prior to the issuance of the first building permit; and

WHEREAS to facilitate construction staging of the development and environmental remediation of the site, and to permit the Chief Building Official or her delegate to exercise her discretion with respect to the possible issuance of conditional building permits, it is desirable to revise the timing for the conveyance of the parkland to ‘prior to the issuance of the first above grade building permit, save and except for any conditional building permit’; and

WHEREAS City Planning staff and the zoning examiner have identified that certain zoning standards set out in the draft zoning by-law contained in the Final Report dated August 28, 2006 should be amended or rounded slightly to provide some flexibility; and

WHEREAS it is desirable that the official plan amendment to the Official Plan of the former City of Etobicoke fully set out the facilities, services or other matters to be obtained in return for increases in height or density;

NOW THEREFORE BE IT RESOLVED THAT City Council amend the draft zoning by-law appended to the Final Report as Attachment 7, as follows:

- in Section 3(d), the maximum total gross floor area be increased from '28,390 square metres' to '29,000 square metres';
- in Section 3(e), the maximum combined building coverage be increased from '47 percent' to '48 percent';
- in Section 3(f), the minimum combined landscaped open space be decreased from '23 percent' to '22.5 percent';
- in Section 3(l), the words 'stacked parking spaces' be changed to 'tandem parking spaces'; and
- in Section 5(vi), the words 'prior to the issuance of the first building permit' be deleted and replaced with the words 'prior to the issuance of the first above grade building permit, save and except for any conditional building permit', to now read as follows:

'5.(vi) The owner shall convey an on-site parkland dedication of 1,400 square metres, prior to the issuance of the first above grade building permit, save and except for any conditional building permit';

AND BE IT FURTHER RESOLVED THAT City Council hereby determines pursuant to Section 34(17) of the *Planning Act* that no further public notice is required with respect to the above noted changes to the Draft By-law;

AND BE IT FURTHER RESOLVED THAT paragraph 4 of the Draft Official Plan Amendment for the former City of Etobicoke, appended to the Final Report as Attachment 5, is hereby amended by deleting the following words:

'Notwithstanding the site is not in a Secondary Plan area, and a detailed land use study has not been carried out, Council may enact a by-law pursuant to Section 37 of the *Planning Act, R.S.O. 1990, Chapter P. 13*,

and replacing those words with the following:

‘Notwithstanding the site is not in a Secondary Plan area, and a detailed land use study has not been carried out, Council may enact a by-law pursuant to Section 37 of the *Planning Act, R.S.O. 1990*, Chapter P. 13, in return for the following facilities, services or matters:

- the owner shall convey to the City an on-site parkland dedication of 1,400 square metres, prior to the issuance of the first above grade building permit, save and except for any conditional building permits;
- the owner will ensure that all lands to be conveyed for parkland purposes shall meet Ministry of the Environment standards for that use;
- the owner and subsequent purchasers (the condominium corporation) shall be responsible for the cost of the maintenance of the public park (i.e. landscaping, lawncare, maintenance of all aspects, including park facilities);
- the owner shall contribute to the City \$125,000.00 towards Ourland Park improvements;
- the owner shall contribute to the City \$80,000.00 towards the improvement to the north side of Oxford street abutting the site, which improvements shall include landscaping, tree planting, etc.;
- the owner shall contribute to the City \$125,000.00 towards the above base park improvements for the new public park provided as part of this development prior to first building permit issuance; and
- prior to site plan approval, the owner shall submit all Environmental Site Assessment Reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04), a Detailed Noise and Vibration Study, and air quality study, to the satisfaction of City Planning;’

AND BE IT FURTHER RESOLVED THAT Etobicoke York Community Council Report 7, Clause 22, as amended by the above amendments, be adopted.”

Votes:

Adoption of motion (a) by Councillor Holyday:

Yes - 11	
Councillors:	Barron, Carroll, Del Grande, Feldman, Holyday, Kelly, Moscoe, Shiner, Soknacki, Walker, Watson
No - 15	
Councillors:	Ainslie, Bussin, Cowbourne, De Baeremaeker, Di Giorgio, Giambrone, Grimes, Hall, McConnell, Nunziata, Palacio, Pantalone, Rae, Silva, Stintz

Lost by a majority of 4.

Adoption of motion (b) by Councillor Nunziata, on behalf of Councillor Grimes:

Yes - 16	
Councillors:	Ainslie, Bussin, Cowbourne, De Baeremaeker, Di Giorgio, Giambrone, Grimes, Hall, McConnell, Nunziata, Palacio, Pantalone, Rae, Silva, Soknacki, Stintz
No - 10	
Councillors:	Barron, Carroll, Del Grande, Feldman, Holyday, Kelly, Moscoe, Shiner, Walker, Watson

Carried by a majority of 6.

Adoption of the Clause, as amended:

Yes - 16	
Councillors:	Ainslie, Bussin, Cowbourne, De Baeremaeker, Di Giorgio, Giambrone, Grimes, Hall, McConnell, Nunziata, Palacio, Pantalone, Rae, Silva, Soknacki, Stintz
No - 10	
Councillors:	Barron, Carroll, Del Grande, Feldman, Holyday, Kelly, Moscoe, Shiner, Walker, Watson

Carried by a majority of 6.

12.104 Works Committee Report 6, Clause 22, headed “Ice Cream Lane - Request for City to Assume Lane”.

The Clause was submitted without recommendation.

Motions:

(a) Deputy Mayor Bussin moved that Council adopt the following:

“That the City assume ownership of Ice Cream Lane on the following terms:

- (1) the City require the release of the maintenance agreement registered on title to the satisfaction of the City Solicitor;
 - (2) any encroachments on the driveway be removed and any third party rights, such as easements, incompatible with the City's assumption of the driveway for public lane purposes be removed and/or released, as the case may be; and
 - (3) the City receive good and valid transfer of title.”
- (b) Councillor Carroll moved that Council adopt the following staff recommendation contained in the Recommendation Section of the report (September 25, 2006) from the Executive Director, Technical Services and the General Manager, Transportation Services:

“It is recommended that the City not assume ownership of the private driveway known as Ice Cream Lane and that it remain a private driveway servicing the twelve homes that front it.”

Permission to Withdraw Motion:

Deputy Mayor Bussin, with the permission of Council, withdrew her motion (a).

Votes:

Motion (b) by Councillor Carroll carried.

The Clause, as amended, carried.

12.105 Toronto and East York Community Council Report 7, Clause 35, headed “Driveway Widening - 527 Russell Hill Road (Ward 22 - St. Paul's)”.

Motion:

Councillor Del Grande moved that the Clause be amended by deleting the recommendations of the Toronto and East York Community Council, and that Council adopt instead the staff recommendations contained in the Recommendations Section of the report (August 29, 2006) from the Director, Transportation Services, Toronto and East York Community Council.

Votes:

Adoption of the motion by Councillor Del Grande:

Yes - 12

Councillors:	Cho, Del Grande, Di Giorgio, Feldman, Holyday, Kelly, Nunziata, Ootes, Palacio, Shiner, Soknacki, Stintz
No - 16	
Councillors:	Ainslie, Barron, Bussin, Carroll, Cowbourne, De Baeremaeker, Fletcher, Giambrone, Grimes, Hall, McConnell, Pantalone, Rae, Silva, Walker, Watson

Lost by a majority of 4.

The Clause was adopted, without amendment.

12.106 IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Procedural Motion:

Deputy Mayor Pantalone, with the permission of Council, at 3:02 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matters on the Order Paper for this meeting of Council, in accordance with the provisions of the *Municipal Act, 2001*:

- (a) Administration Committee Report 6, Clause 43, headed “Parkland Acquisition for West Queen West Triangle - Update Report (Ward 18 - Davenport)”, as it contains information pertaining to litigation or potential litigation and also relates to the security of the property of the municipality;
- (b) Administration Committee Report 6, Clause 44, headed “Options for Relocating the Toronto Public Health Facility at 1115 Queen Street West known as the Beatrice Lillie Health Centre (Ward 18 - Davenport)”, as it contains information pertaining to the proposed or pending acquisition of land for municipal or local board purposes; and
- (c) Works Committee Report 6, Clause 1, headed “CEAT - Public Consultation on Terms of Reference for Environmental Assessment of a Long-Term Post-Diversion Solid Waste Management System”, as it includes personal matters about identifiable individuals.

Vote:

The motion by Deputy Mayor Pantalone carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 3:06 p.m. to meet privately in the Council Chamber to consider the above matters, in accordance with the provisions of the *Municipal Act, 2001*.

Committee of the Whole rose, reconvened as Council at 4:06 p.m., and met in public session in the Council Chamber.

Deputy Mayor Pantalone took the Chair and called the Members to order.

12.107 Administration Committee Report 6, Clause 43, headed “Parkland Acquisition for West Queen West Triangle - Update Report (Ward 18 - Davenport)”.

Report of the Committee of the Whole:

Deputy Mayor Pantalone, in accordance with the provisions of the *Municipal Act, 2001*, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

- (a) Councillor Shiner moved that the Clause be amended in accordance with Recommendations (1), (2), (3) and (4) contained in the Recommendations Section of the confidential report (September 27, 2006) from the City Solicitor.

Motion moved in Public Session:

- (b) Councillor Watson moved that the Clause be amended in accordance with the staff recommendations contained in the Recommendations Section of the report (September 27, 2006) from the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation, subject to deleting from Recommendation (19)(d) the number “24” and replacing it with the number “25”, so that the Recommendations, as amended, now read as follows:

“It is recommended that Council, for lands identified as part of the West Queen West Triangle (WQWT) in Attachment 1 of this report:

- (1) request the Director, Community Planning, Toronto and East York District to report to Toronto and East York Community Council in February 2007, with proposed amendments to the Garrison Common North Secondary Plan (and, if necessary, to the Garrison Common North Part II Plan) as outlined in the recommendations of this report and generally in keeping with the principles outlined in the previous staff reports adopted by Council in 2006;
- (2) request the Director, Community Planning, Toronto and East York District to report to Toronto and East York Community Council in February 2007, with proposed amendments to Zoning By-law 438-86

as outlined in the recommendations of this report and generally in keeping with the principles outlined in the previous staff reports adopted by Council in 2006;

- (3) request the Director, Community Planning, Toronto and East York District to ensure that any proposed Official Plan Amendments to permit residential uses including holding provisions and that any Zoning By-law Amendments to permit residential development on lands currently zoned 'I', be subject to a holding provision and symbol 'H' as authorized by Section 36 of the *Planning Act* and that removal of the 'H' be subject to the following condition:
 - (a) securing the land for the Sudbury Street extension from its current terminus west of Lisgar Street to the intersection of Queen Street West and Gladstone Avenue;
 - (b) the funding for the construction of the Sudbury Street extension and the timing of the construction has been secured to the satisfaction of the General Manager, Transportation Services; and
 - (c) securing a minimum of 0.4 hectares parkland in the West Queen West Triangle to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- (4) direct that the development applications with the West Queen West Triangle fulfill all 5 percent parkland dedication requirements through cash-in-lieu of parkland payments, and that the acquisition portion of those payments be directed to the South District Local Parkland Acquisition Reserve Fund XR2208;
- (5) enact the by-law attached as Schedule B to the Parkland Acquisition for WQWT update report that applies the alternative parkland requirement at a rate of 0.6 hectares of land for every 830 dwelling units, to a maximum of 25 percent of the net site area, be applied to any development or redevelopment site in the West Queen West area equal to or greater than 1 hectare in size;
- (6) direct the Director, Community Planning, Toronto and East York District, to secure public access to privately-owned landscaped open space, including bicycle connections and pedestrian connections, as part of development applications where such public access would further the City's objective of creating a network of open spaces;
- (7) direct the General Manager of Transportation Services to implement a network of public streets, including Sudbury Street and Abell Street

as streets and Northcote Avenue as a pedestrian and cycling connection and open space;

- (8) require that Sudbury Street be built substantially as outlined in the attached street section drawing (Attachment 2), including:
 - (a) one lane of traffic in each direction;
 - (b) on-street parking on one side of the street;
 - (c) typical landscaping including large-growing canopy trees and sidewalks;
 - (d) a bicycle path or bicycle lane; and
 - (e) grading of Sudbury Street to minimize or eliminate the need for additional crash protection barriers from the adjacent rail corridor;
- (9) require that the condition of Abell Street at full build-out include:
 - (a) one lane of traffic in each direction;
 - (b) on-street parking on one side; and
 - (c) landscaped boulevards including large-growing canopy trees, sidewalks and lighting on both sides;
- (10) require the owners of any of the lands required for the Abell Street extension to convey such lands to the City, for nominal consideration, as a condition of development approval;
- (11) require, as a condition of development approval, the owners of any of the lands required for the Abell Street extension to pay their proportional share of the cost of building the extension of Abell Street, recognizing that an interim road condition may be required. An acceptable interim road condition will include, at a minimum:
 - (a) landscaping of the public boulevard fronting the development site, including standard streetscape elements such as street lighting, tree planting and sidewalks;
 - (b) a pedestrian and bicycle route which is also capable of carrying occasional service or emergency vehicles; and

- (c) appropriate drainage;
- (12) require, instead of the extension of Northcote Avenue as a full street as outlined in the former Garrison Common North Part II Plan for the former City of Toronto, that Northcote Avenue be extended primarily for bicycle and pedestrian use with:
- (a) a minimum clear height opening of 7.5 m and minimum width of 11 m through any building fronting the Queen Street West; and
 - (b) a large publicly accessible landscaped open space extending south to Sudbury Street;
- (13) direct the Director, Technical Services, to ensure that any municipal services provided in association with the redevelopment of the West Queen West Triangle be sized to accommodate the planned level of redevelopment of the entire Triangle to avoid the need for premature replacement of municipal services due to a lack of capacity. If additional capacity is required to service the WQWT at full build-out, the incremental cost to oversize the pipes will be front-ended by the City and repaid by other landowners in the Triangle when those landowners develop their properties in the future;
- (14) permit a broader range of uses including galleries, workshops, street-related retail, restaurants, offices, showrooms, cultural facilities and performance venues within the existing MCR and I zoning;
- (15) direct the Director, Community Planning, Toronto and East York District, to review and recommend any limitations and/or performance standards related to retail, restaurant, performance venue and auto-related uses that may be required;
- (16) implement a policy of no net loss of non-residential space within the WQWT, to create a vibrant mixed use neighbourhood featuring a significant and secure concentration of creative industries, facilities and individuals, by:
- (a) specifying that the minimum amount of non-residential gross floor area required be no less than 0.70 times the area of the lot; and
 - (b) specifying the following uses can be included in the calculation of the minimum non-residential gross floor area requirement:

- (i) non-residential uses permitted in the area as of September 1, 2006, excluding above grade parking structures; and
 - (ii) artist live/work studios;
- (17) direct the Chief Planner and Executive Director, City Planning, to amend the definition of artist live/work studio to remove the requirement that the studios be part of a social housing project and in place require that they be secured through an agreement with the City which is registered on title as affordable and for the use of artists in consultation with Economic Development, Culture and Tourism, Planning and Legal Divisions;
- (18) require a minimum of 75 percent of the ground floor areas facing Queen Street West and the proposed east-west Mews to be non-residential uses;
- (19) require new development in the West Queen West Triangle fronting onto Queen Street West between Abell Street and the rail corridor:
 - (a) to be located a minimum of 2.5 m from the Queen Street West property line;
 - (b) rise to a maximum of 13 metres to form a relatively continuous 4 storey street wall parallel to Queen Street West;
 - (c) at no more than 13 metres, provide a minimum 2.0 metre stepback on Queen Street West and, on any corner lots, a minimum 1.5 metre stepback on the flanking street;
 - (d) above the stepback, rise to no more than 25 metres, inclusive of mechanical equipment and any other rooftop projections, and maintain the same sunlight access to the north sidewalk of Queen Street West as would be achieved by buildings which comply with the angular plane requirements of the current MCR zoning;
- (20) direct the Director, Community Planning, Toronto and East York District, to develop and recommend similar principles to those outlined in Recommendation (19) above for the properties fronting onto Queen Street West east of Lisgar Street, based on the additional principles that:

- (a) overall heights along this section of Queen Street West should be lower than those west of Lisgar Street; and
 - (b) permissible building envelopes should complement the existing heritage buildings;
- (21) permit new development on lands currently zoned 'I' to allow buildings up to 18 m, with minimum setbacks of 1.5 metres at a height of no more than 12 metres;
- (22) permit, on lands currently zoned 'I', a limited number of taller buildings, between 24 metres and 42 metres in height (including mechanical equipment and rooftop projections), as outlined on Attachment 4;
- (23) request the Director, Real Estate and Facilities, to continue to monitor the Air Rail Link Environmental Assessment process (ARL EA) and continue to periodically contact Canadian National Railway (CN) and GO Transit (GO) regarding the potential purchase of lands from CN/GO, should the ARL EA process determine that certain lands on the north side of the rail corridor are not required to meet long-term rail transportation purposes;
- (24) support, in principle, proposals for privately-funded, publicly accessible pedestrian and bicycle links over the rail corridor;
- (25) acknowledge that CN and GO Transit are agreeable to a 25 metre setback from the rail corridor for residential uses, given certain noise, vibration and crash mitigation measures, and that Council supports the 25 m setback in principle in this context;
- (26) adopt a strategic direction for focused reinvestment in local economic development and the existing cluster of creative industries in the West Queen West Triangle including the application of Section 37 of the *Planning Act* to achieve the following primary objectives:
- (a) achieving a target of 80 units of affordable, secure live/work spaces for artists;
 - (b) retaining or creating affordable, accessible and secure spaces to serve as hubs for the performing and visual arts; and
 - (c) retaining or creating affordable and secure studio and craft workshop space for the arts industry;

- (27) address the need for affordable, accessible community meeting space during the redevelopment of the West Queen West Triangle through:
 - (a) use of Section 37 of the *Planning Act*;
 - (b) shared use agreements for portions of residential amenity space required under the Zoning By-law; and/or
 - (c) co-location of community meeting facilities with facilities which support the culture industries including spaces such as performance and exhibit halls;
- (28) encourage proponents of proposed developments to consider the Toronto Green Development Standard;
- (29) encourage all developments in the WQWT to include dwelling units suitable for families with children at grade in their developments while balancing this with the need for active, non-residential uses at grade;
- (30) request staff to report on the appropriateness of implementing a Community Improvement Plan for the WQWT; and
- (31) authorize and direct the appropriate City officials to take the necessary actions to implement the recommendations above including but not limited to amending Council directions for the development applications of 150 Sudbury, 1171 Queen Street West, 48 Abell Street and 45 Lisgar Street and the Official Plan and Area Zoning Review of WQWT.”

Vote:

The Clause, as amended by motion (a) by Councillor Shiner and motion (b) by Councillor Watson, carried.

Summary:

Council amended this Clause in accordance with the following:

- (1) the staff recommendations contained in the Recommendations Section of the report (September 27, 2006) from the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation, subject to deleting from Recommendation (19)(d) the number “24” and replacing it with the number “25”, so that the Recommendations, as amended, now read as follows:

“It is recommended that Council, for lands identified as part of the West

Queen West Triangle (WQWT) in Attachment 1 of this report:

- (1) request the Director, Community Planning, Toronto and East York District to report to Toronto and East York Community Council in February 2007, with proposed amendments to the Garrison Common North Secondary Plan (and, if necessary, to the Garrison Common North Part II Plan) as outlined in the recommendations of this report and generally in keeping with the principles outlined in the previous staff reports adopted by Council in 2006;
- (2) request the Director, Community Planning, Toronto and East York District to report to Toronto and East York Community Council in February 2007, with proposed amendments to Zoning By-law 438-86 as outlined in the recommendations of this report and generally in keeping with the principles outlined in the previous staff reports adopted by Council in 2006;
- (3) request the Director, Community Planning, Toronto and East York District to ensure that any proposed Official Plan Amendments to permit residential uses including holding provisions and that any Zoning By-law Amendments to permit residential development on lands currently zoned 'I', be subject to a holding provision and symbol 'H' as authorized by Section 36 of the *Planning Act* and that removal of the 'H' be subject to the following condition:
 - (a) securing the land for the Sudbury Street extension from its current terminus west of Lisgar Street to the intersection of Queen Street West and Gladstone Avenue;
 - (b) the funding for the construction of the Sudbury Street extension and the timing of the construction has been secured to the satisfaction of the General Manager, Transportation Services; and
 - (c) securing a minimum of 0.4 hectares parkland in the West Queen West Triangle to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- (4) direct that the development applications with the West Queen West Triangle fulfill all 5 percent parkland dedication requirements through cash-in-lieu of parkland payments, and that the acquisition portion of those payments be directed to the South District Local Parkland Acquisition Reserve Fund XR2208;
- (5) enact the by-law attached as Schedule B to the Parkland Acquisition

for WQWT update report that applies the alternative parkland requirement at a rate of 0.6 hectares of land for every 830 dwelling units, to a maximum of 25 percent of the net site area, be applied to any development or redevelopment site in the West Queen West area equal to or greater than 1 hectare in size;

- (6) direct the Director, Community Planning, Toronto and East York District, to secure public access to privately-owned landscaped open space, including bicycle connections and pedestrian connections, as part of development applications where such public access would further the City's objective of creating a network of open spaces;
- (7) direct the General Manager of Transportation Services to implement a network of public streets, including Sudbury Street and Abell Street as streets and Northcote Avenue as a pedestrian and cycling connection and open space;
- (8) require that Sudbury Street be built substantially as outlined in the attached street section drawing (Attachment 2), including:
 - (a) one lane of traffic in each direction;
 - (b) on-street parking on one side of the street;
 - (c) typical landscaping including large-growing canopy trees and sidewalks;
 - (d) a bicycle path or bicycle lane; and
 - (e) grading of Sudbury Street to minimize or eliminate the need for additional crash protection barriers from the adjacent rail corridor;
- (9) require that the condition of Abell Street at full build-out include:
 - (a) one lane of traffic in each direction;
 - (b) on-street parking on one side; and
 - (c) landscaped boulevards including large-growing canopy trees, sidewalks and lighting on both sides;
- (10) require the owners of any of the lands required for the Abell Street extension to convey such lands to the City, for nominal consideration, as a condition of development approval;

- (11) require, as a condition of development approval, the owners of any of the lands required for the Abell Street extension to pay their proportional share of the cost of building the extension of Abell Street, recognizing that an interim road condition may be required. An acceptable interim road condition will include, at a minimum:
 - (a) landscaping of the public boulevard fronting the development site, including standard streetscape elements such as street lighting, tree planting and sidewalks;
 - (b) a pedestrian and bicycle route which is also capable of carrying occasional service or emergency vehicles; and
 - (c) appropriate drainage;
- (12) require, instead of the extension of Northcote Avenue as a full street as outlined in the former Garrison Common North Part II Plan for the former City of Toronto, that Northcote Avenue be extended primarily for bicycle and pedestrian use with:
 - (a) a minimum clear height opening of 7.5 m and minimum width of 11 m through any building fronting the Queen Street West; and
 - (b) a large publicly accessible landscaped open space extending south to Sudbury Street;
- (13) direct the Director, Technical Services, to ensure that any municipal services provided in association with the redevelopment of the West Queen West Triangle be sized to accommodate the planned level of redevelopment of the entire Triangle to avoid the need for premature replacement of municipal services due to a lack of capacity. If additional capacity is required to service the WQWT at full build-out, the incremental cost to oversize the pipes will be front-ended by the City and repaid by other landowners in the Triangle when those landowners develop their properties in the future;
- (14) permit a broader range of uses including galleries, workshops, street-related retail, restaurants, offices, showrooms, cultural facilities and performance venues within the existing MCR and I zoning;
- (15) direct the Director, Community Planning, Toronto and East York District, to review and recommend any limitations and/or performance standards related to retail, restaurant, performance venue and auto-related uses that may be required;

- (16) implement a policy of no net loss of non-residential space within the WQWT, to create a vibrant mixed use neighbourhood featuring a significant and secure concentration of creative industries, facilities and individuals, by:
 - (a) specifying that the minimum amount of non-residential gross floor area required be no less than 0.70 times the area of the lot; and
 - (b) specifying the following uses can be included in the calculation of the minimum non-residential gross floor area requirement:
 - (i) non-residential uses permitted in the area as of September 1, 2006, excluding above grade parking structures; and
 - (ii) artist live/work studios;
- (17) direct the Chief Planner and Executive Director, City Planning, to amend the definition of artist live/work studio to remove the requirement that the studios be part of a social housing project and in place require that they be secured through an agreement with the City which is registered on title as affordable and for the use of artists in consultation with Economic Development, Culture and Tourism, Planning and Legal Divisions;
- (18) require a minimum of 75 percent of the ground floor areas facing Queen Street West and the proposed east-west Mews to be non-residential uses;
- (19) require new development in the West Queen West Triangle fronting onto Queen Street West between Abell Street and the rail corridor:
 - (a) to be located a minimum of 2.5 m from the Queen Street West property line;
 - (b) rise to a maximum of 13 metres to form a relatively continuous 4 storey street wall parallel to Queen Street West;
 - (c) at no more than 13 metres, provide a minimum 2.0 metre stepback on Queen Street West and, on any corner lots, a minimum 1.5 metre stepback on the flanking street;

- (d) above the setback, rise to no more than 25 metres, inclusive of mechanical equipment and any other rooftop projections, and maintain the same sunlight access to the north sidewalk of Queen Street West as would be achieved by buildings which comply with the angular plane requirements of the current MCR zoning;
- (20) direct the Director, Community Planning, Toronto and East York District, to develop and recommend similar principles to those outlined in Recommendation (19) above for the properties fronting onto Queen Street West east of Lisgar Street, based on the additional principles that:
 - (a) overall heights along this section of Queen Street West should be lower than those west of Lisgar Street; and
 - (b) permissible building envelopes should complement the existing heritage buildings;
 - (21) permit new development on lands currently zoned 'I' to allow buildings up to 18 m, with minimum setbacks of 1.5 metres at a height of no more than 12 metres;
 - (22) permit, on lands currently zoned 'I', a limited number of taller buildings, between 24 metres and 42 metres in height (including mechanical equipment and rooftop projections), as outlined on Attachment 4;
 - (23) request the Director, Real Estate and Facilities, to continue to monitor the Air Rail Link Environmental Assessment process (ARL EA) and continue to periodically contact Canadian National Railway (CN) and GO Transit (GO) regarding the potential purchase of lands from CN/GO, should the ARL EA process determine that certain lands on the north side of the rail corridor are not required to meet long-term rail transportation purposes;
 - (24) support, in principle, proposals for privately-funded, publicly accessible pedestrian and bicycle links over the rail corridor;
 - (25) acknowledge that CN and GO Transit are agreeable to a 25 metre setback from the rail corridor for residential uses, given certain noise, vibration and crash mitigation measures, and that Council supports the 25 m setback in principle in this context;
 - (26) adopt a strategic direction for focused reinvestment in local economic

development and the existing cluster of creative industries in the West Queen West Triangle including the application of Section 37 of the *Planning Act* to achieve the following primary objectives:

- (a) achieving a target of 80 units of affordable, secure live/work spaces for artists;
 - (b) retaining or creating affordable, accessible and secure spaces to serve as hubs for the performing and visual arts; and
 - (c) retaining or creating affordable and secure studio and craft workshop space for the arts industry;
- (27) address the need for affordable, accessible community meeting space during the redevelopment of the West Queen West Triangle through:
- (a) use of Section 37 of the *Planning Act*;
 - (b) shared use agreements for portions of residential amenity space required under the Zoning By-law; and/or
 - (c) co-location of community meeting facilities with facilities which support the culture industries including spaces such as performance and exhibit halls;
- (28) encourage proponents of proposed developments to consider the Toronto Green Development Standard;
- (29) encourage all developments in the WQWT to include dwelling units suitable for families with children at grade in their developments while balancing this with the need for active, non-residential uses at grade;
- (30) request staff to report on the appropriateness of implementing a Community Improvement Plan for the WQWT; and
- (31) authorize and direct the appropriate City officials to take the necessary actions to implement the recommendations above including but not limited to amending Council directions for the development applications of 150 Sudbury, 1171 Queen Street West, 48 Abell Street and 45 Lisgar Street and the Official Plan and Area Zoning Review of WQWT.”; and
- (2) Recommendations (1), (2), (3) and (4) contained in the Recommendations Section of the confidential report (September 27, 2006) from the City Solicitor. Recommendations (2), (3) and (4) are now public, together with Schedule A, 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:

“It is recommended that:

- (2) in the event the owner of 150 Sudbury Street provides 25 percent of its site for parkland under the alternative parkland rate, the property be released from the ‘H’ condition on the WQWT with respect to securing parkland;
- (3) the applicants be requested to enter into Section 37 agreements as a condition of Official Plan Amendment and Rezoning as set out in Schedule A to this report, to the satisfaction of the City Solicitor;
- (4) if Council adopts Recommendations (2) to (4), those recommendations be made public;”.

12.108 Administration Committee Report 6, Clause 44, headed “Options for Relocating the Toronto Public Health Facility at 1115 Queen Street West known as the Beatrice Lillie Health Centre (Ward 18 - Davenport)”.

Report of the Committee of the Whole:

Deputy Mayor Pantalone, in accordance with the provisions of the *Municipal Act, 2001*, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause.

Motions moved in Public Session:

- (a) Councillor Giambrone moved that the Clause be amended by adding the following:

“That:

- (1) Council adopt staff recommendations (6) and (7) contained in the confidential report (August 25, 2006) from the Chief Corporate Officer;
- (2) the Executive Director of Facilities and Real Estate be directed to:
 - (i) undertake a search of the market for suitable alternative space for Toronto Public Health’s Beatrice Lillie Health Centre within its service area, and negotiate the lease and/or purchase of such appropriate space to meet its requirements;
 - (ii) report to Administration Committee on the proposed terms of the lease and/or purchase of appropriate space;

- (iii) seek budget approval in Council's 2007 budget process for sufficient funds to cover the costs of the lease and/or purchase of appropriate space, the relocation of the Beatrice Lillie Health Centre and the fit out costs of the alternative space;
 - (iv) relocate the Beatrice Lillie Health Centre as soon as possible in 2007; and
 - (v) exempt the 1115 Queen Street West property from the Property Management Committee process in order that the Carnegie Library may be made available for a use as a cultural facility, with preference given to a facility for the performing arts; and
- (3) the Executive Director of Culture and the Executive Director of Facilities and Real Estate be directed to form 'The Beatrice Lillie Project (1115 Queen Street West)' for the purpose of establishing the property as a cultural facility, with preference given to a facility for the performing arts, and report its progress to Council at its meeting in January, 2007.
- (b) Councillor Watson moved that the Clause be received.
- (c) Councillor Soknacki moved that the Clause be referred to the appropriate successor Committee for consideration of the options and appropriate policy recommendations and subsequent consideration as part of the 2007 budget process.

Vote Be Now Taken:

Councillor Fletcher moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote be now taken on motion (c) by Councillor Soknacki, the vote upon which was taken as follows:

Yes - 25	
Councillors:	Barron, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Jenkins, Kelly, Lindsay Luby, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Shiner, Silva, Soknacki, Thompson, Watson
No - 9	
Councillors:	Ashton, De Baeremaeker, Filion, Fletcher, Holyday, Minnan-Wong, Pantalone, Rae, Walker

Carried, more than two-thirds of Members present having voted in the affirmative.

Vote on Referral:

Adoption of motion (c) by Councillor Soknacki:

Yes - 24 Councillors: Ashton, Barron, Cho, Del Grande, Di Giorgio, Feldman, Filion, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Shiner, Silva, Soknacki, Walker, Watson
No - 11 Councillors: Bussin, Carroll, Davis, De Baeremaeker, Fletcher, Giambrone, McConnell, Moscoe, Pantalone, Rae, Thompson

Carried by a majority of 13.

Due to the above decision of Council, motion (a) by Councillor Giambrone and motion (b) by Councillor Watson were not put to a vote.

Mayor Miller in the Chair.

12.109 Works Committee Report 6, Clause 1, headed “CEAT - Public Consultation on Terms of Reference for Environmental Assessment of a Long-Term Post-Diversion Solid Waste Management System”.

Report of the Committee of the Whole:

Mayor Miller, in accordance with the provisions of the *Municipal Act, 2001*, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause.

Motion moved in Public Session:

Councillor Carroll moved that the Clause be amended by adding the following:

“That Council adopt the recommendation contained in the confidential communication (September 20, 2006) from Councillor Shelley Carroll, Chair, CEAT Nominating Panel and Works Committee.”

Votes:

The motion by Councillor Carroll carried.

Adoption of the Clause, as amended:

Yes - 30	Miller
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Mayor:	
Councillors:	Ainslie, Ashton, Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Fillion, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker, Watson
No - 5	
Councillors:	Feldman, Holyday, Kelly, Minnan-Wong, Shiner

Carried by a majority of 25.

Summary:

Council amended this Clause by adding the following:

“That Council adopt the recommendation contained in the confidential communication (September 20, 2006) from Councillor Shelley Carroll, Chair, CEAT Nominating Panel and Works Committee. This communication is now public, in its entirety, and contains the following recommendation:

‘Having consulted with CEAT Nominating Panel Members, I recommend that Council appoint the following citizens, whose names are confidential until appointed, to the Community Environmental Assessment Team, in accordance with the Works Committee recommendations:

- David Blyth;
- Nesamoni Lysander;
- Mike Moselhy; and
- Yuri Huminilowycz

and that under the *Municipal Act, 2001* and the *Municipal Freedom of Information and Protection of Privacy Act*, Council discuss this in camera, since the subject includes personal matters about identifiable individuals.’ ”

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

Mayor Miller in the Chair.

12.110 I(1) Proposal for Leash-Free Park Area Pilot Projects

September 26, 2006:

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Mayor Miller

Seconded by: Councillor Lindsay Luby

“**WHEREAS** the City of Toronto is moving forward with the development of a Dogs in Parks strategy; and

WHEREAS there are currently 32 leash-free zones within the City’s 1,463 parks and an approximate dog population of 150,000; and

WHEREAS many dog owners have already begun to follow the process for establishing leash free areas, as outlined by Animal Services, which requires that residents form a group with a minimum of 15 members to organize park clean-ups and provide responsible pet ownership education amongst other things; and

WHEREAS it is important to continue the consultation process regarding the establishment of an application process for leash-free areas in Toronto Parks; and

WHEREAS there would be value in assessing the proposed system in practice;

NOW THEREFORE BE IT RESOLVED THAT a pilot project for the proposed application process for leash-free zones be permitted in Ward 30, at a location to be determined by the Councillor, in conjunction with City officials;

AND BE IT FURTHER RESOLVED THAT this pilot project be consistent with the timelines for the proposed Dogs in Parks Strategy and evaluated during the community consultation process.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(1) to the Parks and Environment Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(1), a Fiscal Impact Statement (July 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 1, Page 445)

Procedural Vote:

The vote to waive referral of Motion I(1) to the Parks and Environment Committee was taken

as follows:

Yes - 28	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Barron, Carroll, Cho, Cowbourne, Fillion, Giambrone, Grimes, Hall, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Silva, Thompson, Walker, Watson
No - 13	
Councillors:	Ainslie, Bussin, Davis, Del Grande, Feldman, Holyday, Li Preti, Milczyn, Ootes, Rae, Shiner, Soknacki, Stintz

Carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion I(1), a communication (July 25, 2006) from Lynda Elmy, Communications Manager, Toronto Humane Society, which is on file in the City Clerk's Office.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Motion:

Councillor Rae moved that Motion I(1) be received.

Votes:

Adoption of motion by Councillor Rae:

Yes - 12	
Councillors:	Ainslie, Ashton, Barron, Carroll, Cho, Del Grande, Giambrone, Kelly, Rae, Silva, Stintz, Watson
No - 16	
Councillors:	Cowbourne, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, McConnell, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Walker

Lost by a majority of 4.

Adoption of Motion I(1), without amendment.

Yes - 20	
Councillors:	Barron, Carroll, Cho, Cowbourne, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Holyday,

	Jenkins, Lindsay Luby, McConnell, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Walker
No - 8 Councillors:	Ainslie, Ashton, Del Grande, Kelly, Rae, Silva, Stintz, Watson

Carried by a majority of 12.

Disposition:

City Council adopted Motion I(1), without amendment.

Mayor Miller in the Chair.

12.111 I(2) Request of the Province of Ontario to Declare Transit Service in Toronto an Essential Service

September 26, 2006:

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Councillor Palacio

Seconded by: Councillor Lindsay Luby

“WHEREAS the Toronto Transit Commission (TTC) should seek to have transit service in Toronto declared an essential service; and

WHEREAS as required under the *Act* for the declaration of an essential service, a stoppage in TTC service does create a ‘danger to life, health or safety’ and ‘serious environmental damage’; and

WHEREAS the Toronto Transit Commission carries over 1.3 million passengers daily, including 80 percent of transit trips in the Greater Toronto Area, and is the hub of the Greater Toronto Area (GTA) inter-regional transit network; and

WHEREAS one subway line in Toronto takes 53,000 automobiles per hour off the road during rush hour, and the TTC carries the equivalent of 365 million automotive trips annually, helping to reduce greenhouse gas emissions by more than 8 megatonnes per year; and

WHEREAS hundreds of thousands of Torontonians rely on the TTC to get to work, to school and to conduct their lives each day, and the City of Toronto is simply not designed to function without an operating public transit system; and

WHEREAS Wheeltrans is the only means of transportation for many of Toronto's elderly and physically disadvantaged residents; and

WHEREAS it is estimated that any transit stoppage costs the City of Toronto economy upwards of \$10 million in lost economic activity and excessive inconvenience for hundreds of thousands of Torontonians; and

WHEREAS the reliability of transit service has consistently been cited as the primary factor in a potential rider's decision whether or not to take the TTC, which any type of work stoppage completely undermines; and

WHEREAS there was a crippling two-day TTC strike in 1999, and an eight day strike in 1991, and further labour disruptions have been threatened in 2006; and

WHEREAS other essential services, nonetheless, have a very strong bargaining position and typically secure very favourable agreements through arbitration and mediation; and

WHEREAS Toronto is the only municipality that has a public transit service of such magnitude which entails significant ramifications for the public;

NOW THEREFORE BE IT RESOLVED THAT as an urgent matter of public health and safety, Toronto City Council request that the provincial government introduce legislation deeming public transit service in the City of Toronto an essential service."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(2) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(2), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion I(2) to the Executive Committee was taken as follows:

Yes - 20 Councillors: Augimeri, Barron, Carroll, Cho, Feldman, Grimes, Jenkins, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner,
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Stintz, Thompson, Watson	
No - 21	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Cowbourne, Davis, Del Grande, Filion, Giambrone, Hall, Holyday, Kelly, Li Preti, McConnell, Mihevc, Moscoe, Pantalone, Rae, Silva, Soknacki, Walker

Lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion I(2) was referred to the Executive Committee.

12.112 I(3) **Establishment of a Property Assessment Reform Task-Force (PART)**

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Councillor Walker

Seconded by: Councillor Stintz

“**WHEREAS**, in 1998, the Province of Ontario imposed the unfair system of Current Value Assessment (CVA) on all City of Toronto properties; and

WHEREAS since 1998, Current Value Assessment has produced steady and steep reassessment and tax increases in nearly half of all City Wards in the City of Toronto; and

WHEREAS a basic principle of any tax system, especially a municipal tax system, is that it be fair, logical, predictable and stable; and

WHEREAS municipal property tax should relate more to municipal services consumed than to the market desirability of the assessed property’s location; and

WHEREAS, in many cases, residents are paying more taxes and receiving less service; and

WHEREAS it is City Council’s basic and moral responsibility to calculate taxes fairly; and

WHEREAS there has been a near total lack of focus on this issue here at City Hall for the last seven years, while the volatility and unfairness of CVA continues unchecked; and

WHEREAS City Council needs to effectively communicate to the Province the need and desire to control its system of property tax assessment, in order to have autonomy over its most fundamental revenue tool; and

WHEREAS the Ontario Ombudsman’s scathing criticism of the Municipal Property Assessment Corporation (MPAC) offers both the City of Toronto and the Province of Ontario a renewed opportunity to reform the present volatile and malignant municipal tax system;

NOW THEREFORE BE IT RESOLVED THAT City Council immediately establish, in accordance to the terms of reference appended to this Motion, a ‘Property Assessment Reform Task Force (acronym = PART)’ to deal with reform of the property assessment system by investigating other property assessment systems in use in other provinces and other countries to create new options for property assessment systems that may be used by the City of Toronto to collect municipal property taxes in a more fair, equitable, predictable and affordable manner, and that such Task Force will lobby the provincial government for Property Tax Assessment Reform, and that the attached terms of reference be approved.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(3) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(3), a Fiscal Impact Statement (July 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 2, Page 446)

Procedural Vote:

The vote to waive referral of Motion I(3) to the Executive Committee was taken as follows:

Yes - 21	
Councillors:	Cho, Cowbourne, Davis, Feldman, Filion, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Milczyn, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Stintz, Walker, Watson
No - 20	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Del Grande, Giambrone, Grimes, Holyday, Kelly, Li Preti,

Mihevc, Minnan-Wong, Moscoe, Pantalone, Silva, Soknacki, Thompson
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Lost, less than two-thirds of Members present having voted in the affirmative.

September 27, 2006

Request to Change Vote on Procedural Vote:

Councillor Cho requested that he be permitted to change his vote from “Yes” to “No” on the Procedural Vote to waive referral of Motion I(3) to the Executive Committee.

Council concurred in the request by Councillor Cho, as it would not change the outcome of the Procedural Vote.

Revised Procedural Vote:

The vote to waive referral of Motion I(3) to the Executive Committee was taken as follows:

Yes - 20	
Councillors:	Cowbourne, Davis, Feldman, Filion, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Milczyn, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Stintz, Walker, Watson
No - 21	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Del Grande, Giambrone, Grimes, Holyday, Kelly, Li Preti, Mihevc, Minnan-Wong, Moscoe, Pantalone, Silva, Soknacki, Thompson

Lost, less than two-thirds of Members present having voted in the affirmative.

Council also had before it, for consideration with Motion I(3), the following:

- (a) Terms of Reference - Establishment of Task Force: Property Assessment Reform Task-Force (PART) (See Attachment 1, Page 346); and
- (b) communication (July 26, 2006) from the City Clerk (See Attachment 2, Page 347).

Disposition:

Due to the above decision of Council, Motion I(3) was referred to the Executive Committee.

12.113 I(4) Follow-up on Report Request of June 2005 respecting Social Services Spending and Reallocation of Funds to Provide Investment to 13 Identified Communities

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Councillor Del Grande

Seconded by: Councillor Augimeri

“**WHEREAS** in June 2005, the City of Toronto and the United Way jointly released the ‘Strong Neighbourhoods - A Call for Action’ report; and

WHEREAS that report identified 9 communities ‘most in need of immediate and focused investment’ - this number was later expanded to 13 communities by City Council; and

WHEREAS on June 29, 2005, the Community Services Committee considered a letter from Councillor Del Grande that requested certain specific information about past and present social services spending, as well as options for reallocating funds to provide this ‘immediate and focused investment’; and

WHEREAS that letter was referred to the Policy and Finance Committee on its way to City Council, where it was referred to staff for a response, with staff requested to report back to the Policy and Finance Committee by no later than September 20, 2005; and

WHEREAS this request was referenced in the report (October 5, 2006) from Deputy Commissioner Sue Corke, entitled ‘Toronto Strong Neighbourhoods Strategy’ [Policy and Finance Committee Report 9, Clause 6]; this reference does not constitute the response that was requested; and

WHEREAS to date, the requested information has not been provided as staff suggest that compiling it is not possible - a fact that, in the opinion of those Councillors representing these communities, is a contributing factor to the inequitable distribution of social services funds;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council re-affirm its previous information request of staff and re-direct staff to provide the requested information to the Policy and Finance Committee by no later than November 12, 2006.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(4) to the Community Development and

Recreation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(4), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion I(4) to the Community Development and Recreation Committee was taken as follows:

Yes - 29	
Councillors:	Ainslie, Ashton, Augimeri, Carroll, Cho, Davis, Del Grande, Feldman, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Mammoliti, McConnell, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 13	
Mayor:	Miller
Councillors:	Barron, Bussin, Cowbourne, Filion, Fletcher, Holyday, Lindsay Luby, Mihevc, Moscoe, Pantalone, Rae, Silva

Carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Mayor Miller in the Chair.

Vote:

Motion I(4) was adopted, without amendment.

12.114 I(5) Request for Poll on Bike Lanes - Cosburn Avenue between Broadview Avenue and Coxwell Avenue

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Councillor Ootes

Seconded by: Deputy Mayor Feldman

“**WHEREAS** bike lanes were installed on Cosburn Avenue, between Broadview Avenue and Coxwell Avenue (Ward 29), and on Cosburn Avenue, between Coxwell Avenue and Oak Park Road (Ward 31) in October 2004; and

WHEREAS the infiltration of vehicular traffic to other residential streets (motorists wanting to avoid the bike lanes on Cosburn Avenue) has caused concern for neighbouring residents; and

WHEREAS the delay and subsequent idling of vehicles during rush hour, caused by the decreased vehicular traffic lanes, results in increased pollution; and

WHEREAS there already exists a number of safe and suitable east-west bike lanes and roadways for the use of bicyclists in Ward 29;

NOW THEREFORE BE IT RESOLVED THAT the General Manager, Transportation Services, in consultation with the Ward Councillor, create a poll for the area’s residents (in Ward 29), including those living on Cosburn Avenue and in the neighbouring vicinity, to determine if they are in favour of, or opposed to the bike lanes on Cosburn Avenue;

AND BE IT FURTHER RESOLVED THAT this poll be conducted in September 2006.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(5) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(5), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion I(5) to the Toronto and East York Community Council was taken as follows:

Yes - 28	
Councillors:	Ainslie, Ashton, Augimeri, Barron, Carroll, Cho, Del Grande, Feldman, Filion, Grimes, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 14	Miller

Mayor:	
Councillors:	Bussin, Cowbourne, Davis, Fletcher, Giambrone, Hall, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone, Rae, Silva

Carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion I(5), a communication (September 13, 2006) from Councillor Case Ootes, Ward 29, Toronto Danforth, which is on file in the City Clerk's Office.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Vote:

Adoption of Motion I(5), without amendment:

Yes - 12	
Councillors:	Del Grande, Di Giorgio, Feldman, Grimes, Holyday, Kelly, Nunziata, Ootes, Palacio, Shiner, Soknacki, Stintz
No - 17	
Councillors:	Ainslie, Barron, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Fletcher, Giambrone, Hall, McConnell, Moscoe, Pantalone, Rae, Silva, Walker, Watson

Lost by a majority of 5.

Disposition:

City Council did not adopt Motion I(5).

Mayor Miller in the Chair.

12.115 I(6) Extreme Heat Alerts

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Councillor Silva

Seconded by: Councillor Mihevc

“WHEREAS Toronto experienced a heat wave beginning on July 14 yet the City did not issue a Heat Alert or an Extreme Heat Alert until July 16; this undoubtedly caused

great hardship for people who are known to be vulnerable to the heat, for example the elderly, people living in substandard housing and people with disabilities who may not have access to air-conditioned space; and

WHEREAS in the 2005 heat wave in Toronto, there were six reported heat-related deaths of individuals who lived in rooming and boarding homes; and

WHEREAS extreme heat is expected to revisit Toronto in the days to come Environment Canada predicts temperatures as high as 32°C within days and past experience tells us that a Heat Alert or Extreme Heat Alert may not be called, and even if it is, it may not provide adequate City-wide cooling sites or outreach to seniors; and

WHEREAS it is widely recognized that the most critical measures to reduce heat related deaths are early warning systems, the immediate opening of neighbourhood based cooling centres, outreach to vulnerable populations and energy assistance programs; and

WHEREAS past experience, specifically the 700 deaths in the 1995 Chicago heat wave, has led many American cities to develop innovative public health responses to a heat emergency, for example during the heat wave days from July 14 to 21, 2006:

- Chicago opened 100 cooling centres including senior-citizen centres, district police stations, libraries and park facilities. The City operates a '311' line with up-to-date and accurate information on heat resources and coordinates transportation to cooling centres. In addition, Chicago deploys air-conditioned buses to points around the city to pick up vulnerable people and transport them to cooling centres. The City's plan also includes 'reverse 911' calls which are automated calls to seniors and disabled people known to be at risk;
- New York City opened special cooling centres including over 300 buildings for the public and sent officials on outreach to rescue the homeless and elderly;
- Boston extended hours of air conditioned sites in city community centres, and operates a Mayor's 24 hour hotline, free access for seniors to a shuttle bus to and from cooling centres;
- the Philadelphia Corporation for Aging set up a telephone 'heat-line' with nurses available to answer questions. The Philadelphia Health Department also sent outreach workers to check on the homeless and elderly;
- Kansas City, Missouri - a non-profit organization helps to install air conditioners in the home of indigent elderly. In 2005 more than 600 new fans

and 50 air conditioners were donated in a program co-ordinated by Channel 9 in partnership with a local hardware store and the Salvation Army;

- St. Louis, Missouri - Project Elder Cool helps provide and install air conditioners to those in need. The program also provides \$50.00 towards electricity bills for seniors or people with respiratory problems. The City opened 60 cooling centres. The City Health Director cautioned that the city's older housing, much of it made of red brick, heats up like a furnace and tenants should be cautious. After a power outage that left 300,000 homes and businesses without power, National Guard troops, police, firefighters and volunteers knocked on doors offering bottled water and cookies as they checked on elderly residents and provided transportation to cooling centres. With the added emergency of a power outage, the American Red Cross set up shelter for hundreds;
- Louisville, Kentucky - the City runs a fan and air conditioning program and provides free fans or air conditioners to those in immediate need. White flags also fly at Louisville's six homeless shelters - white flags are the signal that the air conditioning is on and there's a place to go to escape the heat. Meals on Wheels personnel were asked by the City to check on recipients to make sure they were not in distress;
- Omaha, Nebraska - the housing authority spent \$25,000.00 to install window air conditioners in apartments used by elderly and disabled residents; and
- Baltimore, Maryland has developed a two-pronged heat strategy which includes a code red heat alert plan and an energy assistance initiative. The City opened 11 cooling centres and employs a Maryland transit bus to places where people are at risk. The city ensures that fans, air conditioners and water are provided to those in need. The city has developed a data base of 56,000 seniors and shut-ins and ensures they are visited or checked on. Numerous city agencies co-ordinate their heat response with the Mayor's Office of Neighbourhoods. On July 20, one day after the Code Red was cancelled Mayor Martin O'Malley reminded residents to remain wary of the heat that still continued and urged people to call '311' if necessary;

NOW THEREFORE BE IT RESOLVED THAT the City develop measures to create energy assistance programs, such as Project Elder Cool, where fans and air conditioners can be provided to people who meet the medical criteria for need;

AND BE IT FURTHER RESOLVED THAT the City work with the Toronto Community Housing Corporation (TCHC) to do same as above;

AND BE IT FURTHER RESOLVED THAT the City immediately examine Toronto's Property Standards by-law that still dictates that in dwellings such as

rooming houses, doors must remain shut and windows must be fixed with a safety device preventing the window from opening more than 100 millimetres.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(6) to the Board of Health would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(6), a Fiscal Impact Statement (July 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 3, Page 447)

Procedural Vote:

The vote to waive referral of Motion I(6) to the Board of Health lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion I(6) was referred to the Board of Health.

12.116 I(7) Request for Report on the Transfer of Taxicab Licenses to Spouse upon Owner's Death

September 26, 2006:

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Councillor Stintz

Seconded by: Councillor Ootes

“WHEREAS Chapter 545-142 of the Toronto Municipal Code, Section B, entitled ‘Death of Owner’ states that ‘Upon the death of the owner of a cab, the owner’s licence issued in respect of such cab shall be terminated’; and

WHEREAS many taxi licence owners and their spouses use the ownership of the licence as a source of retirement income; and

WHEREAS the existing wording found in Chapter 545-142, Section B, prohibits spouses from automatically assuming the taxi licence after the death of the owner; and

WHEREAS several taxi licence owners and their spouses are on fixed incomes and require the income from the licence to maintain their standard of living;

NOW THEREFORE BE IT RESOLVED THAT the Executive Director, Municipal Licensing and Standards, prepare a report outlining the option of transferring the ownership of a taxi licence to the surviving spouse upon the death of the owner;

AND BE IT FURTHER RESOLVED THAT this report be prepared for the next bi-annual Planning and Transportation Committee meeting for taxi-related issues.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(7) to the Licensing and Standards Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(7), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion I(7) to the Licensing and Standards Committee carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Feldman in the Chair.

Deputy Mayor Pantalone in the Chair.

Motion:

Councillor Moscoe moved that Motion I(7) be received.

Vote:

Adoption of motion by Councillor Moscoe:

Yes - 19 Councillors:	Augimeri, Bussin, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Fletcher, Hall, Holyday, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Pantalone, Rae, Silva, Soknacki, Walker
No - 16 Councillors:	Ainslie, Ashton, Barron, Feldman, Grimes, Jenkins, Kelly, Mammoliti, Nunziata, Ootes, Palacio, Saundercook, Shiner, Stintz, Thompson, Watson

Carried by a majority of 3.

Disposition:

City Council received Motion I(7).

Mayor Miller in the Chair.

12.117 I(8) Request for Report on the Toronto Transit Commission (TTC) - City of Toronto Relationship Framework

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Councillor Stintz

Seconded by: Councillor Ashton

“WHEREAS a relationship framework is a document that clearly sets out the relationships between the City and its agencies, boards and commissions; and

WHEREAS the purpose of this relationship framework is to articulate Council’s objectives and expectations to be met by the TTC; and

WHEREAS a relationship framework is needed for the TTC; and

WHEREAS this relationship framework will increase the accountability of the TTC and the City of Toronto; and

WHEREAS the relationship framework report should include the ability for City Councillors who are not Commission members, to attend Commission meetings and be privy to confidential items during ‘in camera’ sessions; and

WHEREAS the relationship framework should include the requirement for all items that have financial implications to be sent to the Policy and Finance Committee and City Council for approval; and

WHEREAS the Strategic and Corporate Policy Division in the City Manager's Office has created a relationship framework for the Toronto Atmospheric Fund (TAF) which was adopted by City Council;

NOW THEREFORE BE IT RESOLVED THAT the Strategic and Corporate Policy Division in the City Manager's Office develop a new relationship framework with the TTC;

AND BE IT FURTHER RESOLVED THAT the relationship framework include provisions such as access by all Councillors to in-camera meetings and Council oversight for items which have a financial impact;

AND BE IT FURTHER RESOLVED THAT the Strategic and Corporate Policy Division in the City Manager's Office set the TTC relationship framework as a top priority;

AND BE IT FURTHER RESOLVED THAT this report be submitted to the Policy and Finance Committee and City Council for approval.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(8) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(8), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion I(8) to the Executive Committee was taken as follows:

Yes - 25 Councillors:	Ashton, Barron, Carroll, Cho, Feldman, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 17 Mayor: Councillors:	Miller Ainslie, Augimeri, Bussin, Cowbourne, Davis, Del Grande, Filion, Fletcher, Giambrone, Kelly, Li Preti, McConnell, Mihevc, Moscoe, Pantalone, Silva

Lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion I(8) was referred to the Executive Committee.

12.118 I(9) Toronto Hydro Purchases of Nuclear Power from the Ontario Power Generation Corporation

Mayor Miller called on the following Motion appearing on the Order Paper:

Moved by: Councillor Saundercook

Seconded by: Councillor Mihevc

“WHEREAS the Corporation of the City of Toronto is the sole shareholder of Toronto Hydro, and Toronto Hydro is arguably one of the most important pieces of infrastructure in Toronto; and

WHEREAS the City of Toronto and Toronto Hydro purchase approximately \$2 billion worth of electricity each year; and

WHEREAS the City of Toronto uses enough electricity for its own purposes that it is the largest single consumer of electricity in Ontario; and

WHEREAS the Government of Ontario has committed to an open market for electricity; and

WHEREAS in an open economic market, consumers should have the right to choose what they buy and from whom; and

WHEREAS the long-term economic success of Ontario has been built primarily on Sir Adam Beck's vision of low-cost, renewable electricity for all of Ontario; and

WHEREAS the Government of Ontario has decided to by-pass the environmental assessment process, and force the construction of additional nuclear power plants; and

WHEREAS past nuclear power plant projects have a track record of billion dollar cost overruns that are still being paid for by residents and businesses on our electricity bills;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto, as Toronto Hydro's sole shareholder, express its formal discomfort to Toronto Hydro with continued purchases of nuclear power from Ontario Power Generation Corporation;

AND BE IT FURTHER RESOLVED THAT in the spirit of full disclosure and forthright assessment of costs and benefits, the City of Toronto, as sole shareholder of Toronto Hydro, formally request the management team of Toronto Hydro to co-ordinate, in four weeks, a briefing session for the Board of Directors of Toronto Hydro, Toronto City Councillors and all interested parties including the press and general public about:

- (i) the economic track record of nuclear power in Ontario;
- (ii) the financial history of the Ontario Government passing on cost overruns from the former Ontario Hydro to Ontario consumers through stranded debt charges;
- (iii) the potential financial impacts on Toronto consumers and the City of Toronto on electricity pricing in 2007 and beyond, including an impact on the City of Toronto's departmental budgets; and
- (iv) options to minimize financial risk to Toronto residents, businesses and the Corporation of the City of Toronto from future increases in the cost of electricity on Ontario;

AND BE IT FURTHER RESOLVED THAT the City of Toronto also formally request the management team of Toronto Hydro to work with the environmental community to co-ordinate a second briefing session, four weeks following the economic briefing session, to outline the environmental and public health risks associated with the mining and processing of uranium, as well as the transportation, management and storage of nuclear waste."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(9) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(9), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion I(9) to the Executive Committee was taken as follows:

Yes - 17	
Councillors:	Bussin, Cho, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Saundercook, Stintz
No - 23	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Carroll, Davis, Del Grande, Holyday, Kelly, Li Preti, Milczyn, Minnan-Wong, Ootes, Palacio, Pantalone, Pitfield, Rae, Silva, Soknacki, Thompson, Walker, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion I(9) was referred to the Executive Committee.

12.119 J(1) Access to Retail Facilities for Disabled Citizens

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: Councillor Moscoe

Seconded by: Councillor Augimeri

“WHEREAS some supermarkets and other retail establishments have established a system of buggy corrals to prevent shopping carts from leaving their property; and

WHEREAS, unfortunately, these systems exclude access by citizens in wheelchairs and scooters; and

WHEREAS buggy corrals significantly limit the mobility of people in wheelchairs and scooters and restrict their ability to purchase basic food items; and

WHEREAS alternative means are available for businesses to retain shopping carts without having to exclude the disabled;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be requested review the feasibility of establishing a by-law that would ensure access to retail facilities by citizens in wheelchairs and scooters;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to review the provisions of the *City of Toronto Act* to determine the City's authority to legislate in this area and report to the Planning and Growth Management Committee on this matter;

AND BE IT FURTHER RESOLVED THAT this Motion be referred to the Disability Issues Committee for a recommendation to Council, through the Planning and Growth Management Committee.”,

the vote upon which was taken as follows:

Yes - 28	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Cowbourne, Feldman, Filion, Giambrone, Grimes, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 13	
Councillors:	Barron, Davis, Del Grande, Hall, Holyday, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Saundercook

Carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(1) to the Planning and Growth Management Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(1), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(1) to the Planning and Growth Management Committee was taken as follows:

Yes - 31 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, Feldman, Fillion, Giambrone, Grimes, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 10 Mayor: Councillors:	Miller Barron, Del Grande, Hall, Holyday, Kelly, Li Preti, Milczyn, Minnan-Wong, Ootes

Carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Adoption of Motion J(1), without amendment:

Yes - 40 Mayor: Councillors:	Miller Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 2 Councillors:	Del Grande, Silva

Carried by a majority of 38.

12.120 J(2) Ensuring Parents are Provided with Assistance in Properly Installing Child Safety Car Restraints

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Augimeri**

“**WHEREAS** every year over 10,000 children, 12 or under, are injured, some of them fatally, in traffic collisions; and

WHEREAS surveys show that as many as 80 percent of Canadian children are not properly restrained when travelling in motor vehicles; and

WHEREAS seatbelts are required by law for everyone, including infants and toddlers; and

WHEREAS all child restraint systems (infant and toddler seats) sold in Canada must meet Canadian Motor Vehicle Safety Standards set by Transport Canada; and

WHEREAS the installation of these seats, as a result of new safety standards, has become more complex and difficult; and

WHEREAS the improper installation of a child restraint seat is as much a safety hazard as an unsafe seat; and

WHEREAS assistance for parents is sporadic and unco-ordinated; and

WHEREAS in New York City, residents can go to their local fire hall for assistance in properly installing child safety restraint systems or to check if a car seat is properly installed; and

WHEREAS Toronto Fire Services has a long-standing tradition of promoting pro-active public safety;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto provide assistance in safely installing child car restraint systems and that it be done through local fire halls;

AND BE IT FURTHER RESOLVED THAT the Fire Chief incorporate, into all training and refresher training courses for Toronto firefighters, a program to teach them how to properly install infant and toddler car seats;

AND BE IT FURTHER RESOLVED THAT by the end of 2008, each fire hall have on duty at least one firefighter, so that residents can attend any fire hall and have someone available that can assist with the safe installation of a child car seat or who can check an installation to ensure that it has been properly done;

AND BE IT FURTHER RESOLVED THAT this matter be referred to the Fire Chief for a report to the Community Development and Recreation Committee.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(2) to the Community Development and Recreation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(2), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(2) to the Community Development and Recreation Committee was taken as follows:

Yes - 17	
Councillors:	Ainslie, Barron, Carroll, Cho, Del Grande, Feldman, Giambrone, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Soknacki, Thompson, Walker
No - 25	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Cowbourne, Davis, Filion, Fletcher, Grimes, Hall, Holyday, Jenkins, Li Preti, Mammoliti, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Stintz, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion J(2) was referred to the Community Development and Recreation Committee.

12.121 J(3) The Kyoto Protocol - Implement Environmental Measures

Ruling by Mayor:

Mayor Miller ruled the following Motion out of order, as it does not directly relate to the City of Toronto:

Moved by: **Councillor Walker**

Seconded by: **Councillor Jenkins**

“**WHEREAS** the United Nations Framework Convention on Climate Change was adopted at the United Nations in New York City on May 9, 1992 – 14 years ago; and

WHEREAS each Party (Nation) in ‘The United Nations Framework Convention on Climate Change’ agreed to reduce overall emissions of hydrofluorocarbons, perfluorocarbons and sulphur hexafluorides by at least five percent below the 1990 levels in the first commitment period 2008 to 2012, stating that each Party (Nation) agreed, by 2005, demonstrable progress in achieving these commitments will have been made; and

WHEREAS to date, demonstrable progress in achieving these commitments of the Kyoto Protocol has not been made; and

WHEREAS each Party (Nation)... in order to promote sustainable development, shall:

‘(a) Implement and/or farther elaborate policies and measures in accordance with its national circumstances, such as:

...(vi) Encouragement of appropriate reforms in relevant sectors aimed at promoting policies and measures which limit or reduce emissions of greenhouse gases...’

[Kyoto Protocol to The United Nations Framework Convention on Climate Change, December 1-10, 1997, Article 2(a)(vi)]; and

WHEREAS one hundred sixty four (164) nations have accepted the Kyoto Protocol; and

WHEREAS Canada signed the Kyoto Protocol on April 29, 1998, and ratified it December 17, 2002, nearly four years ago; and

WHEREAS Canada accounts for an estimated two percent of the world’s greenhouse gas emissions; and

WHEREAS Canada is flush with ‘carbon sinks’ that would lessen the burden of regulation on Canadian industry; and

WHEREAS the increased burning of fossil fuels and the resulting global warming are contrary to the goals that the Kyoto Protocol is trying to reach; and

WHEREAS dozens of energy projects, big and small, would be affected if Canada tries to reduce its emissions; and

WHEREAS the federal government is heavily lobbied by associations, such as the Canadian Automobile Association (CAA), and corporations, such as oil companies, to stall Canada’s implementation of the Kyoto Protocol; and

WHEREAS the federal government is attempting to back out of its participation in the Kyoto Protocol; and

WHEREAS the Canadian oil industry, before the oil is burned, contaminates tens of billions of litres of fresh water per year to extract oil – some companies are permitted to use a million litres per day for this purpose; and

WHEREAS reliance on fossil fuels has been proven to be unsustainable and detrimental, though the Ontario provincial government continues to operate four (4) coal-fired power plants, namely Nanticoke on the north shore of Lake Erie, Lambton (near Sarnia) and Atikokan and Thunder Bay in northwestern Ontario; and

WHEREAS Nanticoke, a provincial power plant, remains the single largest source of air pollution in the province; and

WHEREAS the population of the Greater Toronto Area (GTA), over five (5) million people, is suffering from the provincial government’s lack of leadership on environmental issues; and

WHEREAS combined, these four (4) Ontario Power Generation (OPG) coal-fired power plants produce 7,770 megawatts of electricity (21 percent-24 percent of OPG’s output), and there are clean alternatives, as well as conservation, to replace this capacity; and

WHEREAS governments effectively subsidize corporations who produce harmful emissions by often cleaning up their toxic mess; and

WHEREAS there are several areas of real environmental concern within the boundaries of Toronto, such as smog and heat alert days, the Portlands, Toronto’s beaches, et cetera; and

WHEREAS the Canadian prairies have endured many arid growing seasons and now

farmers are routinely being driven out of business because of the change in climate; and

WHEREAS sections as large as 500 billion tons of ice have broken off arctic ice shelves, which has incrementally raised the levels of the world's oceans; and

WHEREAS in action, like the phrase 'Think Globally, Act Locally', the local municipal governments will be most effective and efficient in implementing the incremental programs and regulations needed for this mandated change; and

WHEREAS, as stated in the Globe and Mail on Wednesday, August 28, 2002, 'Climate decay harms the vulnerable first. They live at the margins: the first to smell fumes, the last to escape the scorching heat..... To ratify Kyoto is to stand with farmers facing drought in Africa, and families cramped in stuffy apartments in Toronto.'; and

WHEREAS the 'Montreal Protocol on Substances that Deplete the Ozone Layer' was adopted on September 16, 1987 --- almost 20 years ago; and

WHEREAS the Organization For Economic Development and Co-Operation (OECD) states that Canada produces 334.9 kg of Carbon Monoxide per capita – Canada's emissions per capita are almost two and a half times the OECD average; and

WHEREAS, as stated in the Toronto Star on Saturday, August 19, 2006, 'Atmospheric concentration of CO2 stands at 381 ppm, and it is increasing at 2 ppm a year. I've been arguing that we need to hold the concentration below 475 ppm, and if we can do that, we can keep the global temperature increase to no more than 1C. To do it, we need to cap global CO2 emissions within the next 10 years, and then reduce them by 60 to 80 per cent by 2050.'; and

WHEREAS implementation of the Kyoto Protocol can be designed to ensure that no industry or sector suffers disproportionately; and

WHEREAS implementation of the Kyoto Protocol can be designed to foster many new industries and employment sectors;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council, representing the largest City in Canada:

- (1) aggressively request the federal government to expeditiously implement the Kyoto Protocol;
- (2) aid the federal and provincial governments to increase public awareness regarding environmental concerns relating to industrial regulation and the implementation of the Kyoto Protocol;

- (3) in line with the initiatives of the Kyoto Protocol, actively offer possible suggestions for implementation to the federal government, such as providing incentives for renewable energy production by individuals, homeowners and owners of multi-residential dwellings;
- (4) actively lobby all other levels of government to actively attempt to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent anthropogenic interference with the climate system;
- (5) actively lobby the provincial government to fast-track its closure of the four (4) coal power plants.”

Councillor Walker challenged the ruling of the Mayor.

Vote to Uphold Ruling of Mayor:

Yes - 25	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Barron, Bussin, Carroll, Del Grande, Feldman, Filion, Giambrone, Grimes, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Saundercook, Soknacki, Stintz
No - 15	
Councillors:	Ashton, Cho, Davis, Fletcher, Jenkins, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Silva, Thompson, Walker, Watson

Carried by a majority of 10.

Fiscal Impact Statement:

City Council had before it, for consideration with Motion J(3), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Council also had before it, for consideration with Motion J(3), a communication (September 22, 2006) from Tony O’Donohue, P. Eng., which is on file in the City Clerk’s Office.

Disposition:

Motion J(3) was ruled out of order.

12.122 J(4) Hydro Electric Services in Various Neighbourhoods Throughout Scarborough**September 26, 2006:**

Councillor Fletcher moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Fletcher

Seconded by: Councillor Barron

“**WHEREAS** there are recognized ongoing problems with the quality and consistency of the delivery of hydro-electric services in various neighbourhoods throughout Scarborough; and

WHEREAS all Toronto citizens should have the right to uninterrupted electrical services; and

WHEREAS constant service of quality hydro electric services are a contributing factor to the safety and security of young people, seniors, the disabled and others; and

WHEREAS these concerns have often been brought to the Works Committee; and

WHEREAS commercial and industrial development and economic growth are dependent upon uninterrupted hydro electrical services; and

WHEREAS the economic development of Scarborough is of high priority to the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the Chair or Vice Chair of the Works Committee or designate, convene a meeting with Toronto Hydro, the General Manager, Transportation Services, the Chair, Scarborough Community Council and the local Councillor(s) to discuss hydro outages in certain parts of Scarborough and report to the Executive Committee detailing the problem of hydro outages in Scarborough, the reasons behind these outages and the plan of work to overcome this, including the estimated required funds from Hydro and the City’s Transportation budget;

AND BE IT FURTHER RESOLVED THAT all previous correspondence from the local Councillor(s) outlining the extent of the problem be made available to the participants at this meeting.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(4) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(4), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(4) to the Executive Committee carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Feldman in the Chair.

Motion:

Councillor Shiner moved that Motion J(4) be amended by deleting the Operative Paragraphs and replacing them with the following new Operative Paragraph:

“**NOW THEREFORE BE IT RESOLVED THAT** Toronto Hydro be requested to submit a full report to the first meeting of Scarborough Community Council on its plans for the refurbishing and upgrading of the hydro distribution system in Scarborough; and further that Toronto Hydro be invited to attend the meeting of Scarborough Community Council to answer any questions that Councillors may have.”

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Permission to Withdraw Motion:

Councillor Shiner, with the permission of Council, withdrew his motion.

Vote:

Motion J(4) was adopted, without amendment.

Mayor Miller in the Chair.

12.123 J(5) Proposed Designation of the Albion Islington Business Improvement Area - Poll Results - (Ward 1 – Etobicoke North)

Councillor Hall moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce the following Notice of Motion, which carried:

Moved by: Councillor Hall

Seconded by: Councillor Lindsay Luby

“**WHEREAS** City Council at its meeting of June 27, 28 and 29, 2006, by the adoption of Motion J(2), authorized the City Clerk to carry out the formal polling to create the Albion Islington Business Improvement Area, required under the *Municipal Act 2001*, and authorized the General Manager of Economic Development, Culture and Tourism to report directly on the poll results to the September 25, 2006 Council meeting; and

WHEREAS, based upon the results of the poll, Council may pass a by-law to designate the commercial area along Albion Road, from Lund Avenue to west of John Grubb Court and Islington Avenue, north of Sandhill Drive and south of Wardlaw Crescent, as an improvement area;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 8, 2006) from the General Manager of Economic Development, Culture and Tourism, and that Council adopt the staff recommendations contained in the Recommendations Section of the report.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(5), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Council also had before it, during consideration of Motion J(5), a report (September 8, 2006) from the General Manager, Economic Development, Culture and Tourism. (See Attachment 3, Page 349)

Vote:

Motion J(5) was adopted, without amendment.

Summary:

In adopting Motion J(5), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 8, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA in the Albion and Islington area, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the *Municipal Act, 2001*;
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

12.124 J(6) Proposed Designation of Old Queen Street Business Improvement Area - Poll Results (Wards 27 and 28 - Toronto Centre-Rosedale)

Councillor McConnell moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce the following Notice of Motion, which carried:

Moved by: Councillor McConnell

Seconded by: Councillor Rae

“**WHEREAS** City Council at its meeting of June 27, 28 and 29, 2006, by the adoption of Motion J(17), authorized the City Clerk to carry out the formal polling to create the Old Queen Street Business Improvement Area required under the *Municipal Act 2001*, and authorized the General Manager of Economic Development, Culture and Tourism to report directly on the poll results to the September 25, 2006 Council meeting; and

WHEREAS the City received only 37 objections out of a possible 229 property owners and tenants entitled to vote on the proposed BIA; and

WHEREAS based upon the results of the poll, Council may pass a by-law to designate the area along Queen Street East, between Victoria Street and River Street, as an improvement area;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 7, 2006) from the General Manager of Economic Development,

Culture and Tourism, and that Council adopt the staff recommendations contained in the Recommendations Section of the report.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(6), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Council also had before it, during consideration of Motion J(6), a report (September 7, 2006) from the General Manager of Economic Development, Culture and Tourism. (See Attachment 4, Page 353)

Vote:

Motion J(6) was adopted, without amendment.

Summary:

In adopting Motion J(6), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 7, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA on Queen Street East, between Victoria Street and River Street, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the *Municipal Act, 2001*;
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

12.125 J(7) Proposed Designation of the Dundas West Business Improvement Area - Poll Results (Wards 18 – Davenport)

Councillor Giambrone moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce the following Notice of Motion, which carried:

Moved by: Councillor Giambrone

Seconded by: Councillor Fletcher

“**WHEREAS** City Council at its meeting of June 27, 28 and 29, 2006, adopted Economic Development and Parks Committee Report 4, Clause 6, headed ‘Intention to Designate the Dundas West Business Improvement Area (BIA), Ward 18 – Davenport’, which directed the City Clerk to carry out a formal poll, as required by the *Municipal Act 2001*, to determine if Dundas West can be designated as a Business Improvement Area; and

WHEREAS the report authorized the General Manager of Economic Development, Culture and Tourism to report on the poll results directly to the September 25, 2006 meeting of City Council; and

WHEREAS based upon the results of the poll, Council may pass a by-law to designate the area known as Dundas West as a Business Improvement Area;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 13, 2006) from the General Manager of Economic Development, Culture and Tourism, and that Council adopt the staff recommendations contained in the Recommendations Section of the report.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(7), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Council also had before it, during consideration of Motion J(7), a report (September 13, 2006) from the General Manager of Economic Development, Culture and Tourism. (See Attachment 5, Page 359)

Vote:

Adoption of Motion J(7), without amendment:

Yes - 40

Mayor: Miller

Councillors: Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Del Grande, Feldman, Filion, Fletcher, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio,

Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 1 Councillor: Holyday

Carried by a majority of 39.

Motion to Re-Open:

Councillor Palacio, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(7) be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 23
Councillors: Ashton, Augimeri, Cho, Cowbourne, Del Grande, Grimes, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Stintz, Thompson, Watson
No - 18
Mayor: Miller
Councillors: Ainslie, Barron, Bussin, Carroll, Davis, Feldman, Fillion, Fletcher, Giambrone, McConnell, Mihevc, Moscoe, Pantalone, Rae, Silva, Soknacki, Walker

Lost, less than two-thirds of Members present having voted in the affirmative.

Summary:

In adopting Motion J(7), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 13, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA on Dundas Street West, between Lansdowne Avenue and Rusholme Road, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the *Municipal Act, 2001*;
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and

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

12.126 J(8) Proposed Expansion of the Little Italy Business Improvement Area - Poll Results (Ward 19 - Trinity-Spadina)

Deputy Mayor Pantalone moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce the following Notice of Motion, which carried:

Moved by: Deputy Mayor Pantalone

Seconded by: Councillor Giambrone

“**WHEREAS** City Council at its meeting of June 27, 28 and 29, 2006, by the adoption of Motion J(33), authorized the City Clerk to carry out the formal polling to expand the Little Italy Business Improvement Area (BIA) required under the *Municipal Act 2001*, and authorized the General Manager of Economic Development, Culture and Tourism to report directly on the poll results to the September 25, 2006 meeting of City Council; and

WHEREAS based upon the results of the poll, Council may pass a by-law to expand the Little Italy BIA eastward from Euclid Avenue to Bathurst Street;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 13, 2006) from the General Manager of Economic Development, Culture and Tourism, and that Council adopt the staff recommendations contained in the Recommendations Section of the report.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(8), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Council also had before it, during consideration of Motion J(8), report (September 13, 2006) from the General Manager of Economic Development, Culture and Tourism. (See Attachment 6, Page 365)

Vote:

Adoption of Motion J(8), without amendment:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, Del Grande, Feldman, Filion, Fletcher, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 2	
Councillors:	Barron, Holyday

Carried by a majority of 37.

Summary:

In adopting Motion J(8), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 13, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) based upon the results of the poll respecting the intention to expand the Little Italy BIA, Council pass a by-law to designate the area described by Attachment No. 1, as an expanded Business Improvement Area, under Section 204 of the *Municipal Act, 2001*;
- (2) leave be granted for the introduction of the necessary bill in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

12.127 J(9) Emergency Response Plan for the Waterfront in the Vicinity of Ward 20 - Trinity-Spadina

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Giambrone

“WHEREAS Harbourfront is fast becoming a destination of choice for thousands of Torontonians and visitors; and

WHEREAS there are proposed improvements to and construction of new facilities and parks in the area; and

WHEREAS the City’s emergency response plan should reflect these changes and ensure that public safety is not being compromised;

NOW THEREFORE BE IT RESOLVED THAT the General Manager of Emergency Medical Services report to the January 2007 meeting of Council on the emergency response plan for the Waterfront neighbourhood in the vicinity of Ward 20, Trinity-Spadina.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(9) to the Community Development and Recreation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(9), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(9) to the Community Development and Recreation Committee was taken as follows:

Yes - 28	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Del Grande, Feldman, Fillion, Fletcher, Giambrone, Hall, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Pitfield, Shiner, Silva, Soknacki, Thompson, Walker, Watson
No - 12	
Councillors:	Augimeri, Grimes, Holyday, Jenkins, Li Preti, Minnan-Wong, Ootes, Palacio, Pantalone, Rae, Saundercook, Stintz

Carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(9) was adopted, without amendment.

12.128 J(10) Issuance of Debentures**September 25, 2006:**

Mayor Miller in the Chair.

Mayor Miller, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Miller

Seconded by: Councillor Soknacki

“**WHEREAS** at its meeting held on February 2, 2006, City Council adopted By-law No. 83-2006, being a by-law to authorize agreements respecting the issue and sale of debentures; and

WHEREAS, pursuant to By-law No. 83-2006, the Mayor and the Deputy City Manager and Chief Financial Officer, acting in his capacity as treasurer appointed under the *Municipal Act, 2001* (the ‘Treasurer’), are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year for the sale and issue of debentures upon such terms and conditions, including price or prices as they deem expedient, to provide an amount not exceeding \$550,000,000.00 for the purposes of the City of Toronto, including the purposes of the former Municipality of Metropolitan Toronto; and

WHEREAS, this debenture issue, in addition to \$300 million debentures previously issued in July 2006, is within the \$550 million limit as approved by Council; and

WHEREAS the Mayor and Treasurer have entered into an agreement dated September 14, 2006, for the issue and sale of debentures and the Treasurer is required to report the terms of the agreement to Council not later than the second regular Council meeting following the entering into of such agreement; and

WHEREAS the *City of Toronto Act, 1997 (No. 2)*, subsection 102(6), requires Council to pass all necessary money by-laws, in accordance with the said agreement and applicable legislation;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 21, 2006) from the Deputy City Manager and Chief Financial Officer, regarding the issuance of debentures; and that the staff recommendations contained in the Recommendations Section of the report be adopted;

AND BE IT FURTHER RESOLVED THAT leave be granted to introduce the necessary Bills in Council to give effect to the issuance of debentures.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(10) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(10), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(10) to the Executive Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(10), a report (September 21, 2006) from the Deputy City Manager and Chief Financial Officer. (See Attachment 7, Page 371)

Vote:

Adoption of Motion J(10), without amendment:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Cho, Cowbourne, De Baeremaeker, Del Grande, Feldman, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Silva, Soknacki, Walker, Watson
No - 2	
Councillors:	Ford, Shiner

Carried by a majority of 33.

Summary:

In adopting Motion J(10), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 21, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on September 25, 2006, to give effect to the issuance of debentures as described in this report; and
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.

12.129 J(11) **Truck Billboard Advertising**

September 26, 2006:

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: Councillor Mihevc

Seconded by: Councillor Rae

“**WHEREAS** the Medical Officer of Health has deemed smog to be a significant health problem that kills over 1,500 Torontonians annually, and determined that emissions from road vehicles is a significant contributor to smog; and

WHEREAS traffic congestion has a significant negative impact on the City’s economy, due to decreased productivity and increased commuting times; and

WHEREAS an increase in unregulated advertising in public spaces has a detrimental impact on the character and appearance of the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT City Council request the City Solicitor to develop a By-law banning the operation of vehicles used for the sole purpose of advertising, modelled after similar By-laws in Vancouver and Montreal;

AND BE IT FURTHER RESOLVED THAT a draft By-law, with a supporting staff report, be forwarded to Council for consideration in the Winter of 2007, through the Licensing and Standards Committee.”

the vote upon which was taken as follows:

Yes - 28	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, Feldman, Fillion, Fletcher, Giambrone, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Rae, Shiner, Silva, Walker
No - 14	
Councillors:	Barron, Del Grande, Grimes, Holyday, Kelly, Li Preti, Mammoliti, Ootes, Pitfield, Saundercook, Soknacki, Stintz, Thompson, Watson

Carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(11) to the Licensing and Standards Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(11), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(11) to the Licensing and Standards Committee was taken as follows:

Yes - 19	
Councillors:	Augimeri, Bussin, Cho, Cowbourne, Davis, Feldman, Filion, Fletcher, Giambrone, Hall, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Shiner, Silva, Walker
No - 23	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Barron, Carroll, Del Grande, Grimes, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Soknacki, Stintz, Thompson, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion J(11) was referred to the Licensing and Standards Committee.

12.130 J(12) Sir Winston Churchill Park – Playground Improvement Project

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Jenkins

“**WHEREAS** City Council at its meeting on June 14, 15 and 16, 2005, approved Toronto and East York Community Council Report 5, Clause 5, headed ‘Final Report – Rezoning Application - 50 Rosehill Avenue (St. Paul’s – Ward 22)’; and

WHEREAS staff Recommendation (4) contained in the Recommendations Section of the report (April 13, 2005) from the Director, Community Planning, South District, required the developer to provide a cash contribution of \$280,000.00 to the City for improved community services and facilities within the local area; and

WHEREAS 50 Rosehill Avenue Inc. agreed, through a registered Section 37 Agreement, to the contribution of \$280,000.00 for the construction or improvement of community services and facilities, of which \$140,000.00 has been received and deposited by the City as an initial payment; and

WHEREAS the estimated cost to provide improvements to the playground at Sir Winston Churchill Park is \$60,000.00; and

WHEREAS it has been determined, in consultation with the City Planning Division and the Parks, Forestry and Recreation Division, that contributing \$60,000.00 of the Section 37 funds for public benefits towards the improvement of the playground at Sir Winston Churchill Park is a desirable and appropriate use of the funds;

NOW THEREFORE BE IT RESOLVED THAT the 2006 Parks, Forestry and Recreation Council Approved Capital Budget, Playgrounds/Waterplay Project, be increased by \$60,000.00 (gross), \$0 (net), for a new sub-project known as Sir Winston Churchill Playground, with cash flow in 2007, funded from Section 37 funds received from the development agreement with 50 Rosehill Avenue Inc., and funding for this new sub-project be transferred from the Planning Deferred Revenue Account where it is being currently held to the Parks, Forestry and Recreation Division.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(12) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(12), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 4, Page 448)

Procedural Vote:

The vote to waive referral of Motion J(12) to the Executive Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(12) was adopted, without amendment.

12.131 J(13) Downtown Yonge Street Business Improvement Area (BIA) - Proposed Identifying Signs Within the BIA

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor McConnell

“WHEREAS the City has an existing moratorium on new street signs, pending the staff review and public consultation on proposed new street signs; and

WHEREAS the Downtown Yonge Street Business Improvement Area (BIA) is now ready to install identifying street signs within the BIA; and

WHEREAS the Downtown Yonge BIA is prepared to assume all costs and liabilities related to their new signs; and

WHEREAS the Downtown Yonge BIA has been working with the Transportation Division, since 2004, on this initiative, without a successful resolution;

NOW THEREFORE BE IT RESOLVED THAT City Council approve the request from the Downtown Yonge Street BIA to install identifying street signs within the BIA;

AND BE IT FURTHER RESOLVED THAT the signs be manufactured, installed and maintained at the BIA's expense to the satisfaction of the General Manager of Transportation Services;

AND BE IT FURTHER RESOLVED THAT the BIA obtain all required permits and pay all applicable fees/financial securities prior to the installation of the signs;

AND BE IT FURTHER RESOLVED THAT the BIA enter into an Encroachment Agreement with the municipality prior to installing the signs proposed within the City of Toronto road allowance, such agreement to be provided to the satisfaction of the Director, Transportation Services, Toronto and East York District, and the City Solicitor;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(13) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(13), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(13) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(13) was adopted, without amendment.

12.132 J(14) Request for Report on Feasibility of Donating a Surplus School Bus to the Abundant Life Assembly

Mayor Miller ruled the following Notice of Motion redundant, as the City of Toronto does not own and operate School Buses:

Moved by: Councillor Hall

Seconded by: Councillor Ford

“**WHEREAS** the Abundant Life Assembly dates back to 1945, when it was started as the ‘Weston Pentecostal Church’, and today is run by Pastor Al Bowen; and

WHEREAS the Abundant Life Assembly serves approximately 1,000 people mainly in Toronto, west of Yonge Street; and

WHEREAS their main activities are a daily church program, programming for children, youth (employment and basketball) and seniors, along with providing extensive support to youth and adults in Jamestown and other high needs areas in Wards 1 and 2, through organizing community events to bring communities together; and

WHEREAS Pastor Bowen takes an active membership role in assisting local community groups that provide service in Etobicoke North; and

WHEREAS, in order to enhance their programming for at-risk communities, they need a school bus to transport children and seniors to program locations; and

WHEREAS they have four volunteer, fully licensed mechanics;

NOW THEREFORE BE IT RESOLVED THAT Council request the Chief Corporate Officer to review the feasibility of making a donation of a surplus 36-passenger school bus to the Abundant Life Assembly and report to the General Government Committee.”

Fiscal Impact Statement:

City Council had before it, for consideration with Motion J(14), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

12.133 J(15) Permit for Temporary Installation of Bleachers to View Santa Claus Parade

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Rae**

Seconded by: **Councillor Silva**

“**WHEREAS** current by-laws regulating the use of the public right-of-way do not specifically allow for the General Manager of Transportation Services to issue a permit for the temporary installation of tiered seating (bleachers) for private use on the public right-of-way to view parades; and

WHEREAS the Sick Kids Hospital Foundation has requested temporary bleachers on the City boulevard fronting the Hospital for Sick Children, at 525 University Avenue, for viewing the Santa Claus Parade to be held on Sunday, November 19, 2006;

NOW THEREFORE BE IT RESOLVED THAT, subject to the applicant meeting the conditions of the General Manager of Transportation Services, a permit be issued for the temporary installation of bleachers on the public rights-of-way fronting the Hospital for Sick Children at 525 University Avenue for private viewing of the Santa Claus parade to be held on Sunday, November 19, 2006.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(15) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(15), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(15) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(15) was adopted, without amendment.

12.134 J(16) Grant to a Tenant Subject to an Eviction Application as a Result of a Window Air Conditioning Unit at 640 Sheppard Avenue East (Ward 24 – Willowdale)

Councillor Shiner moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: **Councillor Shiner**

Seconded by: **Councillor Walker**

“WHEREAS City Council established a Tenant Defence Fund to assist tenants of Toronto in disputing above guideline rent increases (AGIs), participating in Ontario Municipal Board Appeals affecting condominium conversion and demolition applications, and making appeals to the Divisional Court on orders issued by the Ontario Rental Housing Tribunal (the Tribunal) with respect to AGI applications in defence of tenants’ interests; and

WHEREAS the Landlord of the Bayview Place rental complex at 640, 642 and 644 Sheppard Avenue East has begun to install new windows in the complex since last spring, and filed an application for AGIs to the Tribunal; and

WHEREAS the tenants were advised that they could not re-install their existing window air conditioners in the new windows and instead, would be required to purchase portable air conditioning units from the property management, or elsewhere; and

WHEREAS the tenants claim that the portable air conditioners are more expensive, noisier and less effective than the apartment-sized window air conditioners; and several tenants, therefore, decided to re-install their own window air conditioners; and

WHEREAS the Landlord applied to the Tribunal for an order to evict one of these tenants, claiming among other matters, that the re-installation of the window air conditioner by the tenant will, among other things, cause damage to the new windows; and

WHEREAS the tenant subject to the eviction application has lived at 640 Sheppard Avenue East for about 15 years and is being assisted by the Willowdale Community Legal Services (WCLS) for representation before the Tribunal; and

WHEREAS at the Tribunal hearing on September 18, 2006, the Landlord’s lawyer brought an Engineer as an expert witness; and

WHEREAS the Tribunal postponed the Hearing until October 26, 2006, in order to give the WCLS Lawyer, who was representing the tenant, an opportunity to respond; and

WHEREAS the WCLS Lawyer decided that an Engineer would be required to act as expert witness for the tenant; and

WHEREAS the WCLS does not have sufficient funds to pay for the service, and the tenant is seeking assistance from the City; and

WHEREAS this eviction application represents a test case for similar disputes, as the Landlord owns a number of buildings in the City, and a similar dispute about air conditioners has begun at another building; and

WHEREAS the funding request is outside the mandate of the Tenant Support Grants Program and City Council has recently approved a special grant, in a situation where there were tenant applications concerning disputes with the Landlord at 1765 and 1775 Weston Road, with the assistance of a legal clinic (York Community Services), on the condition that the grant be used to cover the costs of services considered to be important and relevant to the legal proceedings by the legal clinic, but could not be paid for by the clinic; and

WHEREAS there are sufficient funds in the 2006 Tenant Support Grants Program; and

WHEREAS Section 107 of the *Municipal Act, 2001*, provides that the Council of every municipality may, subject to Section 106 of the *Municipal Act, 2001*, make grants, on such terms and conditions as to security, and otherwise, as the Council may consider expedient, to any person, institution, association, group or body of any kind, or any purpose that, in the opinion of the Council, is in the interests of the municipality;

NOW THEREFORE BE IT RESOLVED THAT City Council approve a grant, of up to \$5,000.00, from the 2006 Tenant Support Grant Program, for assisting the tenant at 640 Sheppard Avenue East in the dispute about the eviction application, and that the General Manager, Shelter, Support and Housing Administration, be authorized to pay directly to any expert witnesses retained by Willowdale Community Legal Services, for professional services and related disbursements.”,

the vote upon which was taken as follows:

Yes - 31	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, Feldman, Fillion, Fletcher, Grimes, Jenkins, Li Preti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Stintz, Thompson, Walker, Watson
No - 11	
Councillors:	Augimeri, Barron, Cowbourne, Del Grande, Giambrone, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, Soknacki

Carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(16) to the Community Development and Recreation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(16), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(16) to the Community Development and Recreation Committee was taken as follows:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, Feldman, Fillion, Fletcher, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 7	
Councillors:	Ashton, Barron, Cowbourne, Del Grande, Giambrone, Hall, Holyday

Carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Adoption of Motion J(16), without amendment:

Yes - 37	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 5	
Councillors:	Ashton, Barron, Del Grande, Holyday, Kelly

Carried by a majority of 32.

12.135 J(17) Application for Condominium Conversion - 1901 Bayview Avenue (Ward 26 – Don Valley West)

Councillor Pitfield moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pitfield

Seconded by: Councillor Jenkins

“WHEREAS the shareholders of an existing equity co-operative, consisting of 36 units and located at 1901 Bayview Avenue, on the east side Bayview Avenue north of Eglinton Avenue, have applied for conversion to condominium and for draft plan of condominium approval; and

WHEREAS the attached report (August 31, 2006) from the Director of Community Planning, North York District, entitled ‘Final Report – Application for Draft Plan of Condominium and to modify the new Official Plan; File No. 06 106481 NNY 26 CD and 06 106496 OZ; Applicant: Mainline Planning Services; Architect: N/A; 1901 Bayview Avenue (Ward 26 – Don Valley West)’, was on the agenda for the September 19, 2006 North York Community Council meeting, which was not held;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached report (August 31, 2006) from the Director of Community Planning, North York District, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(17) to the North York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(17), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(17) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(17), a report (August 31, 2006) from the Director of Community Planning, North York District. (See Attachment 8, Page 374)

Deputy Mayor Feldman in the Chair.

Vote:

Motion J(17) was adopted, without amendment.

Summary:

In adopting Motion J(17), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (August 31, 2006) from the Director of Community Planning, North York District:

“It is recommended that City Council:

- (1) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 3;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan modification as may be required;
- (3) authorize Draft Approval of the Plan of Condominium for 1901 Bayview Avenue, date stamped as received on February 1, 2006, and that the Chief Planner is authorized to permit any red line revisions as deemed appropriate; and
- (4) require the owner to fulfill conditions of Draft Approval of the Plan of Condominium, including the execution and satisfactory registration of any condominium agreements deemed necessary by the City Solicitor, prior to the City’s consent for final registration and authorize the City Solicitor to prepare any necessary condominium agreement to secure the conditions, as the City Solicitor deems necessary as contained in Attachment No. 4.”

Mayor Miller in the Chair.

**12.136 J(18) Preliminary Report - OPA and Rezoning Application 06 163756 NNY 23 OZ
Applicant: Stephen F. Waque, Borden Ladner Gervais LLP, Architect: Kirkor
Architects & Planners, 4759-4789 Yonge Street (Ward 23 - Willowdale)**

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“WHEREAS the Preliminary Report on OPA and Rezoning Application 06 163756 NNY 23 OZ, 4759-4789 Yonge Street, was not able to be considered by North York Community Council at its scheduled meeting on September 19, 2006, due to the unanticipated cancellation of that meeting the preceding day; and

WHEREAS no further meetings of North York Community Council are scheduled this year; and

WHEREAS it is desirable that processing of this development application proceed without undue delay;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the staff recommendations contained in the Recommendations Section of the attached Preliminary Report (August 29, 2006) from the Director, Community Planning, North York District;

AND BE IT FURTHER RESOLVED THAT, prior to the scheduling of a community consultation meeting, Planning staff, in consultation with the City Solicitor, be directed to report to the North York Community Council on:

- (1) the applicability of current and past versions of the North York Centre Secondary Plan to the proposed development in relation to its outstanding appeals; and
- (2) the exact Official Plan Amendments, and modifications to the City’s new Official Plan, that would be entailed by approval of the development in its presently proposed form.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(18) to the North York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(18), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(18) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(18), a report (August 29, 2006) from the Director, Community Planning, North York District. (See Attachment 9, Page 389)

Vote:

Motion J(18) was adopted, without amendment.

Summary:

In adopting Motion J(18), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (August 29, 2006) from the Director, Community Planning, North York District:

“It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.”

12.137 J(19) Preliminary Report - OPA Application 05 210406 NNY 23 OZ, Applicant: Menkes Gibson Square Inc., 5170 Yonge Street (Ward 23 - Willowdale)

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“WHEREAS the Preliminary Report on OPA Application 05 210406 NNY 23 OZ, 5170 Yonge Street, was not able to be considered by North York Community Council at its scheduled meeting on September 19, 2006, due to the unanticipated cancellation of that meeting the preceding day; and

WHEREAS no further meetings of North York Community Council are scheduled until next year; and

WHEREAS it is desirable that processing of this development application proceed without undue delay;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the staff recommendations contained in the attached preliminary report (September 6, 2006) from the Director, Community Planning, North York District.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(19) to the North York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(19), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(19) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(19), a report (September 6, 2006) from the Director, Community Planning, North York District. (See Attachment 10, Page 405)

Vote:

Motion J(19) was adopted, without amendment.

Summary:

In adopting Motion J(19), without amendment, Council adopted, without amendment, the

following staff recommendations contained in the Recommendations Section of the report (September 6, 2006) from the Director, Community Planning, North York District:

“It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.”

12.138 J(20) Northern Secondary School “Field of Dreams” Project – Section 37 Donation

September 26, 2006:

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Stintz

“**WHEREAS** the Northern Secondary School (851 Mount Pleasant Road) ‘Field of Dreams’ Project consists of installing artificial turf on the football field with a plastic bubble enclosure covering a third of the said field during the off-season; and

WHEREAS this project is an initiative to allow public access to the school’s playing field and to improve the playing field’s usability; and

WHEREAS the completion of this project will constitute a considerable benefit to the surrounding neighbourhood and community; and

WHEREAS fundraising for this initiative is conducted via a non-profit charity; and

WHEREAS this project is endorsed by the City’s Planning Division as a community facilities improvement and qualifies as such under Section 37 of the *Planning Act*, as confirmed in the attached report (September 22, 2006) from the Chief Planner and Executive Director, City Planning;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 22, 2006) from the Chief Planner and Executive Director, City

Planning, and that the staff recommendations contained in the Recommendations Section of the report be adopted;

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(20) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(20), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 5, Page 449)

Procedural Vote:

The vote to waive referral of Motion J(20) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(20), a report (September 22, 2006) from the Chief Planner and Executive Director, City Planning. (See Attachment 11, Page 416)

September 27, 2006:

Mayor Miller in the Chair.

Motion:

Councillor Jenkins moved that Motion J(20) be amended by adding the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the two Ward Councillors, in consultation with the Toronto District School Board Trustee, hold a public meeting, in order to consult with area residents regarding the ‘Field of Dreams’ proposal.”

Votes:

The motion by Councillor Jenkins carried.

Motion J(20), as amended, carried.

Summary:

In adopting Motion J(20), as amended, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 22, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

- (1) the 2006 City Planning Operating Budget Account South District Community Planning – UR0001 be amended by increasing it by \$130,000.00 (gross) \$0 (net);
- (2) funds in the amount of \$130,000.00 be transferred to above-noted account from Deferred Revenue Account #220096;
- (3) the City enter into a third party grant agreement with the Northern Secondary School Foundation for \$130,000.00 for use towards the ‘Field of Dreams’ project, in accordance with the terms and conditions set out in Appendix A of this report; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

12.139 J(21) Liquor Licence Application - Metro Bar - 296 Richmond Street West

September 26, 2006:

Mayor Miller in the Chair.

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Giambrone

“**WHEREAS** Metro Bar Inc. is the owner of, and the licence holder of, a liquor licence for an entertainment facility located at 296 Richmond Street West, in the City of Toronto, and operating as Metro Bar; and

WHEREAS by decision [2006] O.A.G.C.D. No. 167 dated March 24, 2006, the Board of the Alcohol and Gaming Commission of Ontario (‘AGCO’) revoked the

liquor licence of Metro Bar because the past or present conduct of the persons involved with Metro Bar afforded reasonable grounds for the belief that they would not carry on business in accordance with the law and with integrity and honesty; and

WHEREAS Metro Bar Inc. applied to the Court for a stay of the Board's order, until a full appeal of the decision could be heard; and

WHEREAS the Court granted a stay of the Board's order to revoke the liquor licence until August 1, 2006, which has since been extended to October 31, 2006; and

WHEREAS Metro Bar Inc. is in the process of selling Metro Bar and the prospective purchasers have applied for a liquor licence for Metro Bar; and

WHEREAS it is not known, at this time, whether any of the prospective purchasers are associated with the existing Metro Bar; and

WHEREAS residents are concerned that the total licensed capacity for establishments selling liquor in the area is excessive; and

WHEREAS municipal resources, such as the Toronto Police Service, Emergency Medical Services and Municipal By-law Enforcement, are being strained because of the sheer number of licensed facilities in this area; and

WHEREAS, given the public safety and nuisance concerns raised by residents and the Toronto Police Service, the issuance of a liquor licence for Metro Bar is not in the public interest;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council direct the City Clerk to advise the Registrar of the AGCO that the issuance of a liquor licence for Metro Bar, 296 Richmond Street West, is not in the public interest, having regard to the needs and wishes of the residents, and that the Registrar should issue a proposal to review the liquor licence application;
- (2) the AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to Metro Bar, 296 Richmond Street West, to oppose the issuance of a new liquor licence; and
- (3) the City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions to give effect to this Resolution."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(21) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(21), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(21) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Vote:

Adoption of Motion J(21), without amendment.

Yes - 32 Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, De Baeremaeker, Del Grande, Di Giorgio, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Silva, Stintz, Thompson, Walker, Watson
No - 1 Councillor:	Kelly

Carried by a majority of 31.

12.140 J(22) Liquor Licence Application - Circa - 126 John Street

September 26, 2006:

Mayor Miller in the Chair.

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Giambrone

“WHEREAS an application for a liquor licence has been made for the premises known as 126 John Street (the ‘Premises’) and to be called ‘Circa’; and

WHEREAS residents are concerned that the total licensed capacity for establishments selling liquor in the area is excessive; and

WHEREAS municipal resources, such as the Toronto Police Service, Emergency Medical Services and Municipal By-law Enforcement, are being strained because of the sheer number of licensed facilities in this area; and

WHEREAS, given the public safety and nuisance concerns raised by residents and the Toronto Police Service, the issuance of a liquor licence for 126 John Street is not in the public interest;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (‘AGCO’) that the issuance of a liquor licence for Circa, 126 John Street, is not in the public interest, having regard to the needs and wishes of the residents, and that the Registrar should issue a proposal to review the liquor licence application;
- (2) the AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to Circa, 126 John Street, to oppose the issuance of a liquor licence; and
- (3) the City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions to give effect to this Resolution.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(22) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(22), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(22) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Motion:

Councillor Silva moved that Motion J(22) be amended by deleting Part (1) contained in the Operative Paragraph and inserting instead the following new Part (1):

- “(1) City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (‘AGCO’) that the issuance of a liquor licence for Circa, 126 John Street, should be subject to review at the end of one year, and renewal conditional on all by-laws being adhered to;”.

Votes:

The motion by Councillor Silva carried.

Adoption of Motion J(22), as amended:

Yes - 28	
Councillors:	Ainslie, Ashton, Augimeri, Barron, Carroll, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Saundercook, Silva, Stintz, Thompson, Walker
No - 7	
Councillors:	Bussin, Del Grande, Kelly, Li Preti, Pitfield, Rae, Watson

Carried by a majority of 21.

Summary:

In summary, Council amended Motion J(22) by deleting Part (1) contained in the Operative Paragraph and inserting instead the following new Part (1):

- “(1) City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (‘AGCO’) that the issuance of a liquor

licence for Circa, 126 John Street, should be subject to review at the end of one year, and renewal conditional on all by-laws being adhered to;”,

so the Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT:

- “(1) City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (‘AGCO’) that the issuance of a liquor licence for Circa, 126 John Street, should be subject to review at the end of one year, and renewal conditional on all by-laws being adhered to;
- (2) the AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to Circa, 126 John Street, to oppose the issuance of a liquor licence; and
- (3) the City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions to give effect to this Resolution.”

Mayor Miller in the Chair.

12.141 J(23) Ontario Municipal Board Hearing - 10 Foxbar Road (Ward 22 - St. Paul’s)

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Jenkins

“WHEREAS the owner of the property municipally known as 10 Foxbar Road applied to the Committee of Adjustment for minor variances to By-law No. 438-86, as amended, to permit the construction of two semi-detached dwellings; and

WHEREAS the City’s Planning Division formally opposed this application for variances; and

WHEREAS in a decision dated November 17, 2005, the Committee of Adjustment approved the minor variances; and

WHEREAS the Committee of Adjustment’s decision has been appealed by neighbourhood residents to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board will soon be considering an appeal with respect to this decision by the Committee of Adjustment;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council direct the City Solicitor, appropriate staff and/or expert witnesses, to appear at the Ontario Municipal Board to support the Planning Division's recommendations to refuse the requested variances."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(23) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(23), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(23) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(23), the following which are on file in the City Clerk's Office:

- (i) Notice of Decision, Minor Variance/Permission (November 17, 2005) from the Acting Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel;
- (ii) Notice of Decision, Consent (November 17, 2005) from the Acting Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel;
- (iii) report (November 14, 2005) from the Director, Community Planning, Toronto and East York District, addressed to the Chairman and Members of the Committee of Adjustment, Toronto and East York Panel; and
- (iv) communication (November 16, 2005) from Councillor Michael Walker, Ward 22, St. Paul's, addressed to the Committee of Adjustment, Toronto and East York Panel.

Vote:

Motion J(23) was adopted, without amendment.

12.142 J(24) Adjustment to Playground Capital Account CPR 117-34-29 - Wellesley Park

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Lindsay Luby

“WHEREAS Terry Michelin passed away on April 26, 2005, in his 78th year, and was a highly valued and deeply loved member of the Cabbagetown neighbourhood for 35 years; and

WHEREAS Terry Michelin was a dedicated and hard-working business owner and a long standing member of the Old Cabbagetown Business Improvement Area who was actively involved in all community fundraisers and events; and

WHEREAS Terry Michelin, after losing his son to an act of violence in 1992, set up the Santo Michelin Fund, through the Cabbagetown Youth Centre, to provide sports scholarships for local youth through an annual fundraising event; and

WHEREAS members of the Cabbagetown community have come together to form the Terry Michelin Memorial Fund, in order to fund a commemorative piece in Terry’s memory; and

WHEREAS the Terry Michelin Memorial Fund has been working with Parks, Forestry and Recreation staff to include this commemorative piece in the Wellesley Park Playground reconstruction slated for this fall;

NOW THEREFORE BE IT RESOLVED THAT the Parks, Forestry and Recreation Capital Budget be amended to include an additional net zero change in the scope of work for the implementation and construction of additional playground components in Wellesley Park, funded by the Terry Michelin Memorial Fund;

AND BE IT FURTHER RESOLVED THAT the Parks, Forestry and Recreation Capital Plan be adjusted to include the implementation and construction of an ornamental gate at the entrance to the playground in commemoration to Terry Michelin, in Wellesley Park, to be completed before December 2006;

AND BE IT FURTHER RESOLVED THAT the funding from the community be directed to the Wellesley Park – Playground Capital Account CPR 117-34-29.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(24) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(24), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 6, Page 450)

Procedural Vote:

The vote to waive referral of Motion J(24) to the Executive Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(24) was adopted, without amendment.

Motion to Re-Open:

Councillor McConnell, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Motion be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Soknacki moved that Motion J(24) be amended by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Parks, Forestry and Recreation Capital Plan be adjusted up to \$4,800.00 gross, ‘0’ net, to be funded by a community contribution through the Terry Michelin Memorial Fund, to include the implementation and construction of an ornamental gate at the entrance to the playground in commemoration of Terry Michelin, in Wellesley Park, to be completed before December 2006.”

Votes:

The motion by Councillor Soknacki carried.

Motion J(24), as amended, carried.

12.143 J(25) 225 Wellesley Street East and 550 Ontario Street - Request for Report on the Retention of an Entrance Ramp to the Hugh Garner Co-op

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Rae

“WHEREAS By-law No. 740-2004 amended the General Zoning By-law No. 438-86 and By-law No. 20623 and the Site Specific By-law No. 657-76, all as amended, of the former City of Toronto with respect to lands known as Winchester Square, located within the block bounded by Wellesley Street East, Ontario Street, Carlton Street and Bleecker Street and at 405 Sherbourne Street, and as such prescribes development standards for the property located at 225 Wellesley Street East; and

WHEREAS By-law No. 740-2004 secured community benefits pursuant to Section 37 of the *Planning Act*, including the closing, decking over and landscaping of the entrance ramp to the underground garage beneath Hugh Garner Co-op, located at 550 Ontario Street, to provide additional landscaped open space on the block; and

WHEREAS closing the existing entrance ramp would require Hugh Garner Co-op to share the ramp of the adjacent proposed residential building at 225 Wellesley Street East; and

WHEREAS the owner of the adjacent property at 225 Wellesley Street East has applied for Site Plan Approval, pursuant to Section 41 of the *Planning Act*, with plans that conform to the requirements of the Section 37 Agreement to close, deck over and landscape the parking entrance ramp of the Hugh Garner Co-op; and

WHEREAS the Board of Directors of Hugh Garner Co-op has expressed strong interest in retaining a separate parking garage access to their building’s underground garage, notwithstanding the requirements of By-law No. 740-2004 and the Section 37 Agreement, and is concerned that the shared ramp proposed by the adjacent developer will result in indirect and inconvenient access to the Co-op’s underground garage; and

WHEREAS the owner of 225 Wellesley Street East has expressed interest in parking garage access for the proposed development that is separate from the access for Hugh Garner Co-op;

NOW THEREFORE BE IT RESOLVED THAT City Council request the Director of Community Planning, Toronto and East York District, to report to Council, through the Toronto and East York Community Council, at the first Council meeting of 2007, on the steps and actions which would be necessary to permit and implement retention of the existing entrance ramp to Hugh Garner Co-op's underground garage as a separate entrance ramp.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(25) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(25), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(25) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(25) was adopted, without amendment.

12.144 J(26) Alcohol and Gaming Commission of Ontario Proceeding - Dang Restaurant, 99 Pape Avenue

Councillor Fletcher moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Fletcher

Seconded by: Deputy Mayor Bussin

“**WHEREAS** a ‘Licensee’ is the holder of liquor licence No. 281041 (the ‘Licence’) for an establishment located at 99 Pape Avenue, in the City of Toronto, and operating as Dang Restaurant; and

WHEREAS Dang Restaurant is located adjacent to a residential area and local residents have expressed concerns to the local Councillor about public drunkenness, harassment of pedestrians by individuals in front of Dang Restaurant, drug activity, noise and other impacts emanating from Dang Restaurant; and

WHEREAS charges have been laid against Dang Restaurant by police officers from the Toronto Police Service, 55 Division, and these charges are presently before the Courts; and

WHEREAS the Licensee is proposing to transfer the Licence to 1660589 Ontario Inc., which is proposing to change the name of Dang Restaurant to Sunshine Restaurant; and

WHEREAS given the public safety and nuisance concerns raised by residents and the Toronto Police Service, the continuation or the transfer of the Licence is not in the public interest;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (the 'AGCO') that the continuation of the Licence for Dang Restaurant is not in the public interest, having regard to the needs and wishes of the residents, and to request the Registrar to issue a Proposal to Revoke the Licence;

AND BE IT FURTHER RESOLVED THAT City Council direct the City Clerk to advise the Registrar of the AGCO that the transfer of the Licence from the Licensee to 1660589 Ontario Inc. is not in the public interest, having regard to the needs and wishes of the residents, and to request the Registrar to issue a Proposal to Refuse to Transfer the Licence;

AND BE IT FURTHER RESOLVED THAT the AGCO be requested to provide the City of Toronto with an opportunity to participate in any proceedings to revoke the Licence or to refuse the transfer of the Licence with respect to Dang Restaurant, and the City Solicitor and necessary City staff be authorized to participate in any such proceedings before the AGCO."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(26) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(26), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(26) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(26) was adopted, without amendment.

12.145 J(27) Extension of Poll Area - Application for Front Yard Parking at 100 Glendale Avenue

Councillor Watson moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Watson

Seconded by: Councillor Soknacki

“WHEREAS an application for front yard parking has been made at 100 Glendale Avenue which meets the physical criteria of the City of Toronto Municipal Code; and

WHEREAS a formal poll now needs to be conducted to determine whether there is sufficient neighbourhood support for this application to proceed; and

WHEREAS the City of Toronto Municipal Code, Chapter 400, Section 9D 2(a), states that ‘the polling area shall consist of the residential properties located on both sides of the street within one hundred metres of the subject property, or to the nearest intersection’; and

WHEREAS, as a result of this provision, staff have indicated that the area to be polled will be from 92 to 130 Glendale Avenue on the even side, and from 125 Glendale Avenue on the odd side, whichever is the shorter distance; and

WHEREAS Glendale Avenue is a very long residential street with no cross streets, meaning that the removal of one on-street permit parking space would affect residents on the entire length of the street; and

WHEREAS permit parking in Ward 14 is over-subscribed and serves a broad area;
and

WHEREAS front yard parking is a contentious issue in Ward 14, and across the City;

NOW THEREFORE BE IT RESOLVED THAT, notwithstanding the provisions of Chapter 400 of the Municipal Code, staff of the Transportation Services Division be requested to extend the poll up to and including 150 Glendale Avenue, on the even side of the street, and up to and including 179 Glendale Avenue, on the odd side of the street;

AND BE IT FURTHER RESOLVED THAT if the response to the poll is less than 50 percent, a report be submitted to the Toronto and East York Community Council.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(27) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(27), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(27) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(27) was adopted, without amendment.

12.146 J(28) Re-opening of Proposed Parking Lot for the Palais Royale

Mayor Miller, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: Mayor Miller

Seconded by: Councillor Moscoe

“**WHEREAS** at its meeting of July 19, 20, 21 and 26, 2005, City Council authorized the City to licence to the tenant, City-owned parkland located to the east of the Palais Royale Building for parking purposes; and

WHEREAS there was significant community concern expressed that resulted in an alternate Toronto Parking Authority parking lot proposal on the median of Lake Shore Boulevard, which was adopted by City Council on June 27,28 and 29, 2006; and

WHEREAS City Council has initiated steps to establish a Western Waterfront Master Plan and an Integrated Beach Management Strategy which will develop a comprehensive master plan for the western waterfront and an Integrated Beach Management Strategy for the City’s beaches; and

WHEREAS there is significant concern in the community that the lease for the Palais Royale will be signed shortly and will contain a commitment for parking on the median before the Integrated Beach Management Strategy is complete;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 5, Clause 19, headed ‘Constructing an Alternative Parking Lot in the Median of Lakeshore Boulevard West, the Installation of a Mid-Block Pedestrian Traffic Control Signal in the Vicinity of 1601 Lakeshore Boulevard West, Terminating the Existing Agreement with Shoreline Entertainment Inc., and the Execution of an Agreement with the Palais Royale Corporation (Ward 14 Parkdale-High Park)’, adopted, as amended, by City Council on July 27, 28 and 29, 2006, be re-opened for further consideration, only as it pertains to the parking lot proposal on the median of Lake Shore Boulevard;

AND BE IT FURTHER RESOLVED THAT any lease signed with the Palais Royale not contain reference to parking;

AND BE IT FURTHER RESOLVED THAT the Toronto Parking Authority defer any construction on the median until after the study is complete;

AND BE IT FURTHER RESOLVED THAT staff work with the proponent on an interim solution to provide parking for the Palais Royale.”,

the vote upon which was taken as follows:

Yes - 16	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Cowbourne, Davis, Filion, Giambrone, Li Preti, McConnell, Mihevc, Milczyn,

Moscoe, Pantalone, Silva	
No - 25	
Councillors:	Ainslie, Augimeri, Barron, Del Grande, Feldman, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

Fiscal Impact Statement:

City Council had before it, for consideration with Motion J(28), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 7, Page 451)

Council also had before it, for consideration with Motion J(28), a communication (September 26, 2006) from Stanley Makuch, Cassels Brock, Lawyers, which is on file in the City Clerk's Office.

Disposition:

Notice was not waived to permit introduction of this Motion.

12.147 J(29) Authority to Enter into Settlement Discussions – Temporary Sales Offices

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“WHEREAS City Council at its meeting on July 27, 2006, passed By-law No. 686-2006, regulating permissions for temporary sales offices in the former City of North York; and

WHEREAS it is desirable that By-law No. 686-2006 come into force as soon as possible, in order to protect stable residential neighbourhoods; and

WHEREAS only three appeals have been filed regarding By-law No. 686-2006, all of them site specific and in areas that do not affect stable residential neighbourhoods; and

WHEREAS City Council will not meet again until next year;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor, in consultation with City Planning staff, be authorized to enter into settlement discussions with the three appellants and report to the next meeting of the Planning and Growth Management Committee.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(29) to the Planning and Growth Management Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(29), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(29) to the Planning and Growth Management Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(29) was adopted, without amendment.

12.148 J(30) Transfer of Section 37 Funds to Economic Development, Culture and Tourism Accounts for Village of Islington Business Improvement Area

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Milczyn

Seconded by: Councillor Grimes

“**WHEREAS** City Council at its meeting of on May 21, 22 and 23, 2002, adopted, as amended, Etobicoke Community Council Report 6, Clause 1, headed ‘Application for Site Plan Approval - Scott’s Restaurants Inc., 5322 Dundas Street West’; and **WHEREAS** City Council at its meeting of June 18, 19 and 20, 2002, adopted, without amendment, Motion J(18), entitled ‘Payment in lieu of Public Pedestrian Connection – 5055 Dundas Street West and Mabelle Avenue’; and

WHEREAS, as a consequence of adoption of Motion J(18), without amendment, Council:

- (1) amended Clause 20 of the Section 37 agreement between the City of Toronto and Port Royal Place Developments Inc. to provide for a cash payment of \$150,000.00 to the City in lieu of the requirement of the developer to provide a public pedestrian connection through the site to lands located between the eastern boundary of the site and Mabelle Avenue; and
- (2) established a discretionary reserve fund, called the 'Dundas Street West Streetscape Improvements Reserve Fund', to receive the payment referred to in Clause (1) above, and to be used for the purposes of funding streetscape improvements along Dundas Street West, in proximity to the development; and

WHEREAS City Council at its meeting of on June 24, 25 and 26, 2003, adopted, without amendment, Etobicoke Community Council Report 5, Clause 20, headed 'Appeals to the Etobicoke Centre Secondary Plan and Zoning By-law'; and

WHEREAS the above-noted report recommended that 'with respect to the appeal by Wittington Properties Limited, Council authorize staff to present a settlement to the Ontario Municipal Board that implements Ontario Municipal Board Order 0373 issued on March 18, 2003, regarding 7, 9 and 11 Burnhamthorpe Crescent'; and

WHEREAS the Ontario Municipal Board was withholding its Order until the execution of a Section 37 agreement to the City to be used for public art/streetscape improvements; and

WHEREAS the City is holding \$50,000.00 in a Deferred Revenue Account as a consequence of the action noted above; and

WHEREAS the City received a Capital Budget request in 2006 from the Village of Islington Business Improvement Area, for \$30,000.00 for murals and \$170,000.00 for streetscape improvements, with the anticipation that these two projects would be funded from the Section 37 monies held by the City, as noted above; and

WHEREAS this request is consistent with the purposes set out in the Section 37 agreements;

NOW THEREFORE BE IT RESOLVED THAT the 2006 Economic Development Capital Budget be amended by adding a Capital project - Village of Islington Streetscape Improvement Project Account CED037 (including planters, commercial murals, landscaping, street furnishings and decorative sidewalk treatments) with the total project costs of \$200,000.00 (gross) \$0 net with cash flows of \$20,000.00 for 2006 and \$180,000.00 for 2007;

AND BE IT FURTHER RESOLVED THAT \$150,000.00 from the Dundas Street West Streetscape Improvement Reserve Fund – XR1212, and \$50,000.00 from the

City Planning Deferred Revenue Account be transferred to the above noted account, on an as needed basis;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(30) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(30), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 8, Page 452)

Procedural Vote:

The vote to waive referral of Motion J(30) to the Executive Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(30) was adopted, without amendment.

12.149 J(31) Approval to Authorize the Acquisition of 11 St. Annes Road (Heydon Park Secondary School) for Use by the Toronto Police Service

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Filion

“**WHEREAS** City staff have been searching, since 1999, to identify potential sites for the relocation of the Toronto Police Service (TPS) 14 Division headquarters, and finding a new site for 14 Division headquarters is considered one of the top three property requirements of the TPS; and

WHEREAS the search for a new site for 14 Division has been a challenging one, as the availability of sites having a suitable size and location to accommodate a new Police Division are at a premium within the existing boundaries of 14 Division; and

WHEREAS the property located at 11 St. Annes Road was deemed by TPS as a desirable location and being of a suitable size to accommodate their new 14 Division headquarters; and

WHEREAS the subject property is owned by the Toronto District School Board (TDSB) and was declared surplus to their needs in November 2003, as per Ontario Regulation 444/98 and the TDSB were originally offering the property on a short-term lease basis only; and

WHEREAS a short-term lease basis was not desirable to TPS and Real Estate Services approached the TDSB to see if it would be willing to either sell the property or enter into a long term lease; and

WHEREAS the TDSB advised that they would be willing to sell the property but, in order for the City to acquire the subject property, the TDSB requires an unconditional commitment from City Council regarding the acquisition of this property prior to November 11, 2006, in order to meet the prescribed time lines contained within Ontario Regulation 444/98; and

WHEREAS, if the City cannot commit unconditionally to acquiring the property before November 11, 2006, the subject property will no longer be deemed to be surplus to the School Board's needs;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 22, 2006) from the Chief Corporate Officer; and
- (2) as part of the due diligence period for this acquisition, the local area Councillors and community shall be consulted regarding this acquisition and the Toronto District School Board be requested to allow this consultation as a condition in an Agreement of Purchase and Sale."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(31) to the Executive Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(31), a confidential Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

Procedural Vote:

The vote to waive referral of Motion J(31) to the Executive Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(31), a confidential report (September 22, 2006) from the Chief Corporate Officer. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to acquisition of property.

Deputy Mayor Feldman in the Chair.

Vote:

Adoption of Motion J(31), without amendment:

Yes - 36	
Councillors:	Ainslie, Ashton, Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Stintz, Walker
No - 1	
Councillor:	Giambrone

Carried by a majority of 35.

Disposition:

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

September 28, 2006:

City Council on September 28, 2006, by its adoption of Motion J(57), without amendment, subsequently re-opened Motion J(31) for further consideration and rescinded its previous action on Motion J(31). [See Page 271 for Council's action on Motion J(57)].

Mayor Miller in the Chair.

12.150 J(32) City of Toronto Appointment to the Toronto Port Authority

Councillor Pitfield moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: Councillor Pitfield

Seconded by: Councillor Stintz

“**WHEREAS** the City of Toronto holds one (1) seat on the Toronto Port Authority Board of Directors; and

WHEREAS the Federal Government appointed five (5) members to the Board on August 25, 2006; and

WHEREAS the City of Toronto’s seat is presently vacant, and has been since April 2004; and

WHEREAS the Port of Toronto is a vital component of the City of Toronto’s waterfront; and

WHEREAS the citizens of Toronto deserve to have a say in matters respecting Toronto’s port;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Civic Appointments Committee to meet, as soon as possible, for the purpose of nominating the City of Toronto’s representative to the Toronto Port Authority;

AND BE IT FURTHER RESOLVED THAT the Civic Appointments Committee report to the first regular meeting of the new Council in order to confirm the appointment.”

the vote upon which was taken as follows:

Yes - 27	
Councillors:	Ainslie, Ashton, Cho, Del Grande, Feldman, Fillion, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Watson
No - 13	
Mayor:	Miller
Councillors:	Augimeri, Barron, Bussin, Carroll, Cowbourne, Davis, Giambrone, Grimes, McConnell, Moscoe, Pantalone, Rae

Carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(32) to the Civic Appointments Committee

would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(32), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Procedural Vote:

The vote to waive referral of Motion J(32) to the Civic Appointments Committee was taken as follows:

Yes - 22	
Councillors:	Ainslie, Ashton, Augimeri, Barron, Cho, Del Grande, Feldman, Holyday, Jenkins, Kelly, Li Preti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Shiner, Soknacki, Stintz, Thompson, Watson
No - 19	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cowbourne, Davis, Filion, Fletcher, Giambrone, Grimes, Hall, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Rae, Saundercook, Silva

Lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion J(32) was referred to the Civic Appointments Committee.

12.151 J(33) 305 Dawes Road – Renewal of Lease of City Space Provided at Below Market Rent (Ward 31 – Beaches-East York)

Councillor Davis moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Davis

Seconded by: Councillor Mihevc

“WHEREAS the subject property, known as the Goulding Estate, is comprised of a two-storey designated historic house of approximately 5,000 square feet; and

WHEREAS by the terms of an original lease agreement dating back to 1997, and together with three subsequent renewals, the Centre for Creative Ministries has leased the subject property from the City; and

WHEREAS by way of Supplementary Letters Patent in 2003, the tenant had changed its name from The Centre for Creative Ministries to The Hannon-Shields Centre for Leadership and Peace (the 'Tenant'); and

WHEREAS the Tenant is an incorporated not-for-profit and a registered charitable organization, and has provided activities that have included wellness, leadership, counselling, art and creativity programs to the community, and The Children's Peace Theatre, which stages plays and events that have created learning opportunities for youth and seniors in the community, is the main program of the facility; and

WHEREAS staff of the Parks, Forestry and Recreation Division has determined that there is no interest in programming use for the site, and has advised that they support the work of the Tenant at the subject property; and

WHEREAS City Council at its meeting on April 12, 13 and 14, 2005, adopted, without amendment, Policy and Finance Committee Report 4, Clause 23, headed 'Phase One Implementation of the Policy on City-owned Space Provided at Below-Market Rent'; and

WHEREAS the Tenant meets all the criteria set out in the policy, and is eligible to occupy City owned space provided at below-market rent; and

WHEREAS the report on the Phase 2 Implementation of the Policy on City-owned Space Provided at Below-Market Rent, including the recommendation on standardized lease terms and conditions which provides that the basic rent is a fixed annual amount of \$1.00 plus all taxes and operating costs, is pending City Council approval for its meeting on September 25, 26 and 27, 2006; and

WHEREAS the lease expired on February 28, 2006, and the Tenant has since been on a month-to-month overholding basis;

NOW THEREFORE BE IT RESOLVED THAT, subject to City Council approving the standardized lease terms and conditions, in accordance with the Below-Market Rent Policy:

- (a) authority be granted to enter a new lease for a term of 5 years, commencing as of October 1, 2006, with the Tenant, in accordance with the Below-Market Rent lease terms and conditions, otherwise the lease be renewed commencing as of October 1, 2006, on a month to-month basis, at the existing monthly rent of \$1,325.00 net, plus all taxes and operating costs, and all other terms and conditions to remain the same as the existing lease;

- (b) if the lease is renewed as a Below-Market Rent Lease, in accordance with the Below-Market Leasing policy, that as required by the Policy, authority be granted to enter into a Service Agreement in the form authorized by City Council with the Tenant, which includes terms and conditions satisfactory to the Parks, Forestry and Recreation Division; and
- (c) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(33) to the General Government Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(33), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 9, Page 453)

Procedural Vote:

The vote to waive referral of Motion J(33) to the General Government Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(33), a Location Map of the subject property which is on file in the City Clerk's Office.

Deputy Mayor Feldman in the Chair.

Vote:

Motion J(33) was adopted, without amendment.

Mayor Miller in the Chair.

12.152 J(34) Integrity Commissioner – Follow up Report on Hiring of Relatives of Members of Council in Council Offices

Mayor Miller, with the permission of Council, moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce and debate the following Notice of Motion, which carried:

Moved by: Mayor Miller

Seconded by: Deputy Mayor Feldman

“**WHEREAS** City Council at its meeting held on June 27, 28 and 29, 2006, referred Motion I(2) respecting an amendment to the Council policy on employment of relatives in Council Offices, to the Integrity Commissioner with a request that he consider the implications of the suggested policy change, and report directly to Council for its meeting on July 25, 2006; and

WHEREAS the Integrity Commissioner has submitted a report (September 19, 2006) in response to this request;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (September 19, 2006) from the Integrity Commissioner, and the recommendation contained in the report be adopted.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(34), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 441)

Council also had before it, during consideration of Motion J(34), a report (September 19, 2006) from the Integrity Commissioner. (See Attachment 12, Page 421)

Vote:

Motion J(34) was adopted, without amendment.

Summary:

In adopting Motion J(34), without amendment, Council adopted, without amendment, the following recommendation contained in the Recommendation Section of the report (September 19, 2006) from the Integrity Commissioner:

“It is recommended that Council amend its June 7, 8 and 9, 2000 policy on Council Support Staff by adding the following subclause:

- ‘(4) this policy does not affect the continued employment of Council Office Support Staff in the following circumstances:
 - (i) where a member of a Councillor’s staff becomes a relative of the Mayor or another member of Council as a result of election, appointment or marriage; or

- (ii) where a member of the Mayor's staff becomes a relative of a member of Council as a result of election, appointment or marriage.' ”

12.153 J(35) Integrity Commissioner Reports on Complaints of Violation of Councillor Code of Conduct - Use of City Resources in the Conduct of a Private Business – (1) and (2)

Mayor Miller, with the permission of Council, moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce and debate the following Notice of Motion, which carried:

Moved by: Mayor Miller

Seconded by: Deputy Mayor Feldman

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

WHEREAS the Integrity Commissioner has submitted the following reports:

- (1) (September 25, 2006) entitled ‘Report on complaint that a Member of Council violated Clause IV of the Code of Conduct by using City resources in the conduct of a private business (1)’; and
- (2) (September 25, 2006) entitled ‘Report on complaint that a Member of Council violated Clauses IV and V of the Code of Conduct by using City resources in the conduct of a private business (2)’;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the reports (September 25, 2006) from the Integrity Commissioner, and that the recommendation contained in the Recommendation Section of the reports be adopted.”

Council also had before it, during consideration of Motion J(35), the following reports:

- (i) (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clause IV of the Code of Conduct by using City resources in the conduct of a private business (1)” (See Attachment 13, Page 424); and
- (ii) (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clauses IV and V of the Code of Conduct by using

City resources in the conduct of a private business (2)” (See Attachment 14, Page 428).

Vote:

Motion J(35) was adopted, without amendment.

Summary:

In adopting Motion J(35) without amendment, Council adopted, without amendment:

- (1) the following recommendation contained in the Recommendation Section of the report (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clause IV of the Code of Conduct by using City resources in the conduct of a private business (1)”:

“It is recommended that Council uphold the complaint but not impose any sanctions.”; and

- (2) the following recommendation contained in the Recommendation Section of the report (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clauses IV and V of the Code of Conduct by using City resources in the conduct of a private business (2)”:

“It is recommended that Council uphold the complaint but not impose any sanctions.”

12.154 J(36) Request for an Interim Control By-law and Secondary Official Plan for the Area Bounded by both sides of Avenue Road from Lonsdale Road to St. Clair Avenue West {R4 Z2.0 Zone}

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Jenkins

“**WHEREAS** three developmental applications for 609 Avenue Road, 587 Avenue Road and 215 Lonsdale Road were submitted on October 14, 2005, April 26, 2006, and April 28, 2006, respectively, to Urban Development Services, with proposals calling for significant increase in height, density and mass, contrary to current zoning and Official Plan provisions; and

WHEREAS on July 27, 2006, the development application for 609 Avenue Road was appealed to the Ontario Municipal Board, pursuant to section 22(7) of the *Planning Act*, on the basis of the Council's failure to make a decision on the application in spite of the Council's approval of a preliminary report which recommended further community consultation; and

WHEREAS through telephone calls, e-mails, letters and meetings, local residents have expressed concerns to the Ward Councillor about the proposed development, including that the new development will cast significant shadows on the neighboring residential buildings, increase traffic congestion, over-intensify the sites and the neighbourhood, be out of the neighbourhood context and be contrary to in-force Official Plan policies;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Chief Planner and Executive Director, City Planning, to complete a Secondary Plan in respect of residential land use and the land use planning regulations for the area bounded by both sides of Avenue Road from Lonsdale Road to St. Clair Avenue West {R4 Z2.0 zone}, and as shown within the heavy lines on Schedule A of the attached Interim Control By-law, which will provide criteria for development for the area;

AND BE IT FURTHER RESOLVED THAT City Council direct the Chief Planner and Executive Director, City Planning, to establish a working group which will examine how to develop a more cohesive urban design framework for the area;

AND BE IT FURTHER RESOLVED THAT City Council complete and enact the attached draft Interim Control By-law."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(36) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(36) to the Toronto and East York Community Council was taken as follows:

Yes - 18	
Councillors:	Ainslie, Barron, Bussin, Cho, Feldman, Giambrone, Jenkins, Li Preti, Mammoliti, Minnan-Wong, Nunziata, Palacio, Pitfield, Rae, Shiner, Stintz, Walker, Watson
No - 24	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Carroll, Cowbourne, Davis, Del Grande, Filion, Fletcher, Grimes, Hall, Holyday, Kelly,

Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe,
Ootes, Pantalone, Saundercook, Silva, Soknacki,
Thompson

Lost, less than two-thirds of Members present having voted in the affirmative.

Council also had before it, for consideration with Motion J(36), the following which are on file in the City Clerk's Office:

- (i) Draft By-law entitled "Interim Control By-law for the area bounded by both sides of Avenue Road from Lonsdale Road to St. Clair Avenue West {R4 Z2.0 Zone}; and
- (ii) Schedule "A" - District Map 50K-313.

Disposition:

Due to the above decision of Council, Motion J(36) was referred to the Toronto and East York Community Council.

12.155 J(37) Ontario Municipal Board Hearing – 102 Empress Avenue

September 25, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Filion, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 26, 2006:

Mayor Miller in the Chair.

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

"WHEREAS the Committee of Adjustment for the City of Toronto (North District) gave Modified Approval to an application by the owner of 102 Empress Avenue, to permit the construction of a one-storey addition attached to the rear of the existing dwelling; and

WHEREAS variances were requested for lot coverage and length of dwelling; and

WHEREAS Planning Division staff initially commented that the application be deferred to obtain a Preliminary Project Review to determine the correct variances, and further commented that, should the Committee choose to consider that application as submitted, the application be refused as it represented an overdevelopment of the site; and

WHEREAS the applicant submitted revised drawings reducing the variances requested and no further comments were made; and

WHEREAS the applicant has appealed the Modified Decision of the Committee of Adjustment for the minor variance application to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board has set October 13, 2006, as the hearing date for the application;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the City Solicitor and Planning Division staff to attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment's decision."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(37) to the North York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(37) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(37), a Notice of Decision, Minor Variance/Permission (June 9, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel, which is on file in the City Clerk's Office.

Vote:

Motion J(37) was adopted, without amendment.

12.156 J(38) Request for Attendance by City Solicitor and Staff to Attend the Ontario Municipal Board Hearing for Committee of Adjustment Application, 4685 Yonge Street

September 25, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Filion, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 26, 2006:

Mayor Miller in the Chair.

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“**WHEREAS** the Committee of Adjustment for the City of Toronto (North District) refused an application by Hightech Realty Inc., the owners of 4685 Yonge Street, to permit interior alterations to the existing interconnected buildings to facilitate restaurant and medical office uses; and

WHEREAS variances were requested for the number of parking spaces; and

WHEREAS Planning staff commented on the history of the site and recommended that the application be deferred to allow the applicant to clarify and perfect the application, and to address any and all outstanding issues; and

WHEREAS Transportation Services commented that the proposed ‘stand alone’ medical office and restaurant uses do not conform to the definition of uses covered by the parking policy. Due to the magnitude of the deficiency, application of the City’s Payment-in-Lieu of Parking Policy would not be recommended. The Division recommended that the application be refused; and

WHEREAS the Committee of Adjustment refused the application; and

WHEREAS the applicant has appealed the Decision of the Committee of Adjustment for the minor variance application to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board has set October 27, 2006, as the hearing date for this application;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the City Solicitor and Transportation Services staff to attend the Ontario Municipal Board Hearing to uphold the City's By-law and the Committee of Adjustment's Decision."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(38) to the North York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(38) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(38), a Notice of Decision, Minor Variance/Permission (May 24, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel, which is on file in the City Clerk's Office.

Vote:

Motion J(38) was adopted, without amendment.

12.157 J(39) Heritage and Freedom Flag of the Vietnamese Community

September 25, 2006:

Deputy Mayor Feldman in the Chair.

Councillor Pitfield, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 26, 2006:

Mayor Miller in the Chair.

Ruling by Mayor:

Mayor Miller ruled the following Notice of Motion out of order, as it is contrary to the City of Toronto policy on "Flag Raisings":

Moved by: **Councillor Pitfield**

Seconded by: **Councillor Li Preti**

“**WHEREAS** recently in the United States, the Yellow Flag with three red stripes (The Yellow Flag) has been recognized by Council members of many cities, counties and states as the ‘Heritage and Freedom Flag of the Vietnamese Community’; and

WHEREAS the act of honouring the Yellow Flag affirms the Viet people’s indomitable spirit, and their love for independence, freedom and democracy; and

WHEREAS the Yellow Flag will forever be in the hearts of overseas Vietnamese and the ‘anti communist’ majority of domestic Vietnamese; and

WHEREAS the City of Toronto has allowed many groups to use its courtesy pole, among those the Gay and Lesbian communities to fly the Rainbow Flag on Pride Day, and others (including the Monarchists) to fly the Union Jack on Victoria Day; and

WHEREAS the Vietnamese Canadian community is not suggesting, in any way, that their community flag is a flag of any nation; and

WHEREAS the Vietnamese Canadian community has adopted the Flag as a symbol of their community, and they have flown this flag for the last thirty (30) years at all kinds of community events - not only at City Hall; and

WHEREAS the City of Toronto had raised The Yellow Flag at City Hall since 1982 until 2004; and

WHEREAS the Vietnamese Association of Toronto, a non-profit registered charitable organization, representing twenty-seven (27) organizations of the Vietnamese community in the Greater Toronto Area, have been denied permission to fly The Yellow Flag at City Hall in 2005 and 2006; and

WHEREAS the City of Toronto’s flag raising policy states that, in addition to national flags recognized by the Federal Government, ‘the City will also fly the flags of non-profit or charitable organizations’;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Clerk to consider requests, in 2007 and beyond, by the Vietnamese Association of Toronto to fly The Yellow Flag - the Heritage and Freedom Flag of the Vietnamese community, as a request by a non-profit organization, not as a request by a nation, as the Yellow Flag is not a national flag, but a flag that honours a community.”

Councillor Pitfield challenged the ruling of the Mayor.

Vote to Uphold Ruling of Mayor:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Del Grande, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva,

Soknacki, Stintz, Thompson	
No - 7	
Councillors:	Li Preti, Mammoliti, Nunziata, Palacio, Pitfield, Walker, Watson

Carried by a majority of 28.

Council had before it, for consideration with Notice of Motion J(39), the City of Toronto policy on “Flag Raisings”. (See Attachment 15, Page 432)

Disposition:

Motion J(39) was ruled out of order, as it is contrary to the City of Toronto policy on “Flag Raisings”.

12.158 J(40) Authorization for St. Clarens Avenue Speed Hump Traffic Study

September 25, 2006:

Deputy Mayor Feldman in the Chair.

Councillor Giambrone, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 26, 2006:

Mayor Miller in the Chair.

Councillor Giambrone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Giambrone

Seconded by: Councillor Silva

“**WHEREAS** St. Clarens Avenue residents are concerned about drivers speeding dangerously on their street, including problems with ‘joy riders’ and ‘drag racers’; and

WHEREAS St. Clarens Avenue is a main entrance to Shirley Street Public School and is used daily by young children walking to and from school; and

WHEREAS Councillor Giambrone received a petition on September 22, 2006, from a significant number of St. Clarens Avenue residents requesting that speed humps be installed on their street;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council authorize a traffic study on St. Clarens Avenue, between Dundas Street West and Wyndham Street;

AND BE IT FURTHER RESOLVED THAT the Director, Transportation Services, be requested to report to the next meeting of the Toronto and East York Community Council on the results of the traffic study with a recommendation as to whether or not speed hump polling should be conducted on St. Clarens Avenue, between Dundas Street West and Wyndham Street;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized to take whatever actions may be necessary to bring the foregoing into effect.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(40) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(40) to the Toronto and East York Community Council was taken as follows:

Yes - 26	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Cowbourne, Davis, Feldman, Filion, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Rae, Silva, Soknacki, Thompson
No - 11	
Councillors:	Ashton, Augimeri, Del Grande, Holyday, Kelly, Minnan-Wong, Ootes, Saundercook, Shiner, Stintz, Watson

Carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Vote:

Adoption of Motion J(40), without amendment:

Yes - 21 Councillors: Ainslie, Barron, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, McConnell, Moscoe, Nunziata, Palacio, Pantalone, Rae, Silva, Soknacki, Walker
No - 8 Councillors: Del Grande, Feldman, Holyday, Kelly, Ootes, Shiner, Stintz, Watson

Carried by a majority of 13.

12.159 J(41) **Authorization for Hickson Street Speed Hump Traffic Study**

September 25, 2006:

Deputy Mayor Feldman in the Chair.

Councillor Giambrone, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 26, 2006:

Deputy Mayor Feldman in the Chair.

Councillor Giambrone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: Councillor Giambrone

Seconded by: Councillor Silva

“**WHEREAS** Hickson Street residents are concerned about drivers speeding dangerously on their street, including problems with ‘joy riders’ and ‘drag racers’; and

WHEREAS Hickson Street is a main entrance to Shirley Street Public School and is used daily by young children walking to and from school; and

WHEREAS Councillor Giambrone received a petition on September 22, 2006, from a significant number of Hickson Street residents requesting that speed humps be installed on their street;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council authorize a traffic study on Hickson Street, between Brock Avenue and St. Clarens Avenue;

AND BE IT FURTHER RESOLVED THAT the Director, Transportation Services, be requested to report to the next meeting of the Toronto and East York Community Council on the results of the traffic study with a recommendation as to whether or not speed hump polling should be conducted on Hickson Street;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized to take whatever actions may be necessary to bring the foregoing into effect.”,

the vote upon which was taken as follows:

Yes - 26	
Councillors:	Augimeri, Barron, Bussin, Carroll, Cho, Davis, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Kelly, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Silva, Soknacki, Thompson, Walker
No - 13	
Councillors:	Ainslie, Ashton, Del Grande, Holyday, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Pitfield, Saundercook, Shiner, Stintz, Watson

Carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(41) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(41) to the Toronto and East York Community Council was taken as follows:

Yes - 27	Councillors: Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Feldman, Fillion, Fletcher, Giambrone, Hall, Jenkins, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Rae, Shiner, Silva, Soknacki, Thompson, Walker
No - 14	Councillors: Ainslie, Del Grande, Grimes, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Ootes, Pitfield, Saundercook, Stintz, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion J(41) was referred to the Toronto and East York Community Council.

12.160 J(42) Authorization for Wyndham Street Speed Hump Traffic Study**September 25, 2006:**

Deputy Mayor Feldman in the Chair.

Councillor Giambrone, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 26, 2006:

Deputy Mayor Feldman in the Chair.

Councillor Giambrone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: **Councillor Giambrone**

Seconded by: **Councillor Silva**

“**WHEREAS** Wyndham Street residents are concerned about drivers speeding dangerously on their street, including problems with ‘joy riders’ and ‘drag racers’; and

WHEREAS Councillor Giambone received a petition on September 22, 2006, from a significant number of Wyndham Street residents requesting that speed humps be installed on their street;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council authorize a traffic study on Wyndham Street, between Brock Avenue and Saint Clarens Avenue;

AND BE IT FURTHER RESOLVED THAT the Director, Transportation Services, be requested to report to the next meeting of the Toronto and East York Community Council on the results of the traffic study with a recommendation as to whether or not speed hump polling should be conducted on Wyndham Street;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized to take whatever actions may be necessary to bring the foregoing into effect.”,

the vote upon which was taken as follows:

Yes - 30	
Councillors:	Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Feldman, Fillion, Fletcher, Giambone, Grimes, Hall, Jenkins, Kelly, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Rae, Shiner, Silva, Soknacki, Thompson, Walker
No - 10	
Councillors:	Ainslie, Del Grande, Holyday, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Pitfield, Saundercook, Stintz

Carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(42) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(42) to the Toronto and East York Community Council was taken as follows:

Yes - 28	
Councillors:	Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Rae, Shiner, Silva, Thompson, Walker
No - 12	
Councillors:	Ainslie, Del Grande, Holyday, Kelly, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Pitfield, Saundercook, Soknacki, Stintz

Carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Vote:

Adoption of Motion J(42), without amendment:

Yes - 23	
Councillors:	Ainslie, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, McConnell, Moscoe, Nunziata, Palacio, Pantalone, Rae, Silva, Soknacki, Walker
No - 7	
Councillors:	Del Grande, Holyday, Kelly, Ootes, Shiner, Stintz, Watson

Carried by a majority of 16.

12.161 J(43) Approval for a Lease Between the Toronto Economic Development Corporation (TEDCO) and the City of Toronto for a Portion of an Existing City Yard on Eastern Avenue

September 25, 2006:

Deputy Mayor Feldman in the Chair.

Councillor Lindsay Luby, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 26, 2006:

Deputy Mayor Feldman in the Chair.

Councillor Lindsay Luby moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Lindsay Luby

Seconded by: Deputy Mayor Feldman

“WHEREAS the Toronto Economic Development Corporation (TEDCO) is working to secure a long-term employment use on a site adjacent to the City owned yards at Eastern Avenue and Booth Avenue; and

WHEREAS this potential employment use would bring new long-term skilled industrial jobs to the area; and

WHEREAS this employment use will only become feasible with the addition of a small (less than 2/3 acre) portion of the City owned lands; and

WHEREAS these City Yards are utilized by Divisions in both the Works and Parks, Forestry and Recreation service areas; and

WHEREAS these yards have large surface parking facilities which can be reconfigured to accommodate this employment use;

NOW THEREFORE BE IT RESOLVED THAT the Chief Corporate Officer, in conjunction with the City Solicitor, be authorized to enter into a nominal sum lease agreement of up to twenty-one (21) years with TEDCO for the use of up to 2/3 of an acre of the existing City Yard on Eastern Avenue to facilitate a TEDCO employment related project;

AND BE IT FURTHER RESOLVED THAT the General Manager, Parks, Forestry and Recreation Division, the General Manager, Transportation Services and the General Manager, Solid Waste Management Services Division, be consulted in this process to ensure minimal disruption to Divisional operational requirements and no costs to the affected Divisions;

AND BE IT FURTHER RESOLVED THAT TEDCO be requested to report to the Economic Development Committee on the details of the employment use and the economic impact of this initiative once the transaction is completed.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(43) to the Economic Development Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(43) to the Economic Development Committee carried, more than two-thirds of Members present having voted in the affirmative.

September 27, 2006:

Deputy Mayor Bussin in the Chair.

Motion:

Councillor Lindsay Luby moved that Motion J(43) be amended by deleting the Recitals and Operative Paragraphs and replacing them with the following new Recitals and Operative Paragraphs:

“**WHEREAS** the Toronto Economic Development Corporation (TEDCO) is working to secure a long-term employment use on a site adjacent to the City-owned yards at Eastern Avenue and Booth Avenue; and

WHEREAS this potential employment use would bring new long-term skilled industrial jobs to the area; and

WHEREAS this employment use will only become feasible with the addition of a

small (less than 2/3 acre) portion of the City owned lands; and

WHEREAS these City Yards are utilized by the Parks, Forestry and Recreation Division, Transportation Division, Solid Waste Management Services Division and Toronto Water Division; and

WHEREAS these yards have large surface parking facilities which may be able to be reconfigured to accommodate this employment use;

NOW THEREFORE BE IT RESOLVED THAT, subject to the approval of the General Managers of the affected Divisions, the Chief Corporate Officer, in conjunction with the City Solicitor, be authorized to enter into a lease agreement of up to 21 years with TEDCO for the use of up to 2/3 of an acre of the existing City Yard on Eastern Avenue to facilitate a TEDCO employment related project;

AND BE IT FURTHER RESOLVED THAT the Chief Corporate Officer be requested to report on the terms of the agreement to the General Government Committee;

AND BE IT FURTHER RESOLVED THAT the President and Chief Executive Officer of TEDCO be requested to report to the Economic Development Committee on the details of the employment use and the economic impact of this initiative once the transaction is completed.”

Vote:

The motion by Councillor Lindsay Luby carried.

Motion J(43), as amended, carried.

12.162 J(44) Yonge Street/Sheppard Avenue Traffic and Pedestrian Management Study

September 26, 2006:

Deputy Mayor Feldman in the Chair.

Councillor Fillion, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 27, 2006:

Deputy Mayor Bussin in the Chair.

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“**WHEREAS** existing traffic volumes in the Yonge Street and Sheppard Avenue area are approaching capacity during the a.m. and p.m. peak periods; and

WHEREAS pedestrian traffic in the Yonge Street/Sheppard Avenue area has increased since the opening of the Sheppard Subway Line;

NOW THEREFORE BE IT RESOLVED THAT Transportation Services staff be requested to retain a qualified transportation consultant to undertake a Traffic and Pedestrian Management Study for the area between Sheppard Avenue and Highway 401, along the Yonge Street corridor, which would include a public consultation component, funding to be provided through Development Charges, the study to include, among other things, the traffic operations in the area, pedestrian and subway signage, Ministry of Transportation Ontario improvements at the Yonge Street and Highway 401 interchange and the Yonge Street median south of Sheppard Avenue.”

Advice by Deputy Mayor:

Deputy Mayor Bussin advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(44) to the Public Works and Infrastructure Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(44) to the Public Works and Infrastructure Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(44) was adopted, without amendment.

Motion to Re-Open:

Councillor Filion, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Motion be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Filion moved that Motion J(44) be amended by deleting from the Operative Paragraph, the words “Development Charges”, and inserting instead the words “the North York Development Charge Account”, so the Operative Paragraph now reads as follows:

“**NOW THEREFORE BE IT RESOLVED THAT** Transportation Services staff be requested to retain a qualified transportation consultant to undertake a Traffic and Pedestrian Management Study for the area between Sheppard Avenue and Highway 401, along the Yonge Street corridor, which would include a public consultation component, funding to be provided through the North York Development Charge Account, the study to include, among other things, the traffic operations in the area, pedestrian and subway signage, Ministry of Transportation Ontario improvements at the Yonge Street and Highway 401 interchange and the Yonge Street median south of Sheppard Avenue.”

Votes:

The motion by Councillor Filion carried.

Motion J(44), as amended, carried.

12.163 J(45) 88-90 Carlton Street - Demolition Permit

September 27, 2006:

Mayor Miller in the Chair.

Councillor Rae, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Deputy Mayor Feldman

“WHEREAS the Toronto Community Housing Corporation (‘TCHC’) is the owner of the property located at 88-90 Carlton Street (‘the property’); and

WHEREAS there are two vacant residential buildings on the property containing forty units each (‘the buildings’) that were built in about 1928; and

WHEREAS TCHC retained the services of an expert in Urban Entomology and consultant to the City of Toronto in related matters, to inspect the buildings for termites; and

WHEREAS the Entomologist has reported that the buildings have extensive termite infestation that represents a ‘formidable challenge’ for renovation and, further, that the extent and severity of the termite infestation warrants a ‘cost out’ of demolition and reconstruction versus renovation and termite remediation for these buildings; and

WHEREAS the Entomologist’s findings form the basis of a consulting Structural Engineer’s report stating termite damage to sufficient structural components to constitute a risk of collapse if the buildings were occupied and furnished; and

WHEREAS the consulting Structural Engineer does not recommend repair under the circumstances; and

WHEREAS TCHC has initiated design for and intends to erect a new not-for-profit affordable housing project containing 108 units; and

WHEREAS TCHC held a Community Consultation meeting on July 12, 2006, to seek input as to the design of the proposed new building; and

WHEREAS the TCHC has commenced its first step towards a development application by applying for a Preliminary Project Review with the Buildings Plan Review Division and a Site Plan application which is complete and is to be submitted on September 27, 2006 (this week); and

WHEREAS the vacant buildings could constitute a hazard from collapse during the winter months with additional loads from accumulated snow; and

WHEREAS the buildings, in the recent past, have been subject to illegal, unsafe squatting, which caused extensive fire damage; and

WHEREAS the buildings, in the recent past, had been illegally and dangerously occupied; and

WHEREAS the City has been designated as an area of demolition control, pursuant to the *Planning Act* 33(3), and no person shall demolish unless a permit is issued by Council; and

WHEREAS the owner has filed an application to Council for a permit to demolish a residential property and Council may issue the permit;

NOW THEREFORE BE IT RESOLVED THAT the Chief Building Official issue the demolition permit for the residential property on behalf of Toronto City Council and apply the standard applicable conditions to the permit.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(45) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(45) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(45) was adopted, without amendment.

12.164 J(46) Temporary Closure of Portions of Basin Street and Saulter Street South To Establish a Construction Staging Area

September 27, 2006:

Mayor Miller in the Chair.

Councillor Fletcher, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Fletcher moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Fletcher

Seconded by: Deputy Mayor Bussin

“WHEREAS the City of Toronto Transportation Services Division has received a request to temporarily close a portion of Basin Street, west of Bouchette Street, and a portion of Saulter Street South, extending northerly from Basin Street to Commissioners Street, to accommodate a construction staging area; and

WHEREAS City of Toronto Municipal Code Chapter 937-2 grants authority to staff to issue full or partial closures for the public right-of-way for periods up to 30 days in connection with private construction; and

WHEREAS the request for the temporary enclosure will be in excess of 30 days;

NOW THEREFORE BE IT RESOLVED THAT permission be granted to the Toronto Film Studios for the temporary closure of Basin Street and Saulter Street South for construction staging and the temporary storage of materials and equipment, in keeping with the report (September 25, 2006) from the General Manager, Transportation Services;

AND BE IT FURTHER RESOLVED THAT the staff recommendations contained in the Recommendations Section of the attached report (September 25, 2006) from the General Manager, Transportation Services, be adopted.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(46) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(46) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(46), a report (September 25, 2006) from the General Manager, Transportation Services. (See Attachment 16, Page 433)

Vote:

Motion J(46) was adopted, without amendment.

Summary:

In adopting Motion J(46), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 25, 2006) from the General Manager, Transportation Services:

“It is recommended that:

- (1) the request to temporarily close portions of the public highway of Basin Street, 57.3 m west of Bouchette Street and Saulter Street South, extending northerly from Basin Street to Commissioners Street be approved to facilitate construction of the new studio facility at Filmport, subject to the applicant agreeing to but not limited to the following:
 - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing an insurance policy for such liability for the duration of the temporary closure in a form as approved by the Deputy City Manager and Chief Financial Officer and in an amount not less than \$5,000,000.00, or such greater amount as the Deputy City Manager and Chief Financial Officer may require;
 - (b) not to undertake any construction work within the temporarily closed portions of Basin Street and Saulter Street South until after the formal road closing is ratified;
 - (c) provide a permanent right-of-way on a 24-hour basis over the portion of Basin Street, shown as Part 1 on Sketch No. PS-2005-135, for vehicular and pedestrian access purposes in favour of Hydro One and Toronto Hydro;
 - (d) provide unrestricted access to the various utility companies together with Toronto Water who have existing plants within the affected portions of the right of way to be temporarily closed, for maintenance and/or emergency purposes;
 - (e) pay a monthly rental fee for the area of public right-of-way enclosed in keeping with the provisions of Chapter 313, of the former City of Toronto Municipal Code, Streets and Sidewalks; and
 - (f) accept such additional conditions as the City Solicitor or the General

Manager, Transportation Services may deem necessary in the interest of the City;

- (2) such permission shall terminate once permission for the permanent road closure has been finalized and the by-law enacted to permanently close the affected portions of Basin Street and Saulter Street South; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that may be required.”

12.165 J(47) Regent Park Phase 1 – Proposed Two-way Operation on Regent Street between Dundas Street and new Cole Street

September 26, 2006:

Mayor Miller in the Chair.

Councillor McConnell, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 27, 2006:

Mayor Miller in the Chair.

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Fletcher

“**WHEREAS** the Executive Director, Technical Services has prepared a report on proposed two-way operation on Regent Street, between Dundas Street and new Cole Street; and

WHEREAS approval of this report is urgent in order to set direction on the width of the street for this short section of street; to finalize the design detail for the Plan of Subdivision so that it can be registered; to permit the building permits to be issued; and to enable the Toronto Community Housing Corporation (TCHC) to meet its provincial funding and construction timing commitments; and

WHEREAS the loading access design is under discussion between City staff and TCHC staff to develop a solid waste service loading design for Block 3 in Phase 1 of the Regent Park redevelopment;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report (September 26, 2006) from the Executive Director, Technical Services, and the staff recommendations contained in the Recommendations Section of the report be adopted.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(47) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(47) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(47), a report (September 26, 2006) from the Executive Director, Technical Services. (See Attachment 17, Page 437)

Vote:

Motion J(47) was adopted, without amendment.

Summary:

In adopting Motion J(47), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 26, 2006) from the Executive Director, Technical Services:

“It is recommended that:

- (1) the extension of Regent Street, between Dundas Street and new Cole Street, be designed to operate as a two-way street;
- (2) staff work with Toronto Community Housing Corporation (TCHC) to develop a solid waste service loading design for Block 13 in Phase 1 of the Regent Park redevelopment that would provide for refuse collection services to be carried out in accordance with the City’s Guidelines;
- (3) in the event a practical alternative service loading design for Block 13 cannot be achieved by October 25, 2006, then the loading design as proposed by

TCHC be accepted, and that the City's Solid Waste Management Division provide refuse collection services for the proposed residential development on Block 13; and

- (4) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto, including the introduction in Council of any Bills that may be required."

12.166 J(48) **Creation of a French Language Office**

September 27, 2006:

Deputy Mayor Bussin in the Chair.

Councillor Giambrone, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller in the Chair.

Councillor Giambrone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Giambrone

Seconded by: Councillor Li Preti

"WHEREAS the Constitution of Canada provides that English and French are the official languages of Canada; and

WHEREAS funding to assist in setting up French Language services may be available from provincial and federal governments, as well as the Association of French Municipalities of Ontario, of which the City of Toronto is a member;

NOW THEREFORE BE IT RESOLVED THAT City Council request the City Manager to report to the Executive Committee in the first quarter of 2007 on opportunities for the creation of a French Language Services body within the City, including the provision of translation of City By-laws and documents."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(48) to the Executive Committee would

have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(48), a Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 10, Page 454)

Procedural Vote:

The vote to waive referral of Motion J(48) to the Executive Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(48) was adopted, without amendment.

Motion to Re-Open:

Councillor Hall, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Motion be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 20	
Councillors:	Barron, Cho, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Hall, Holyday, Kelly, Lindsay Luby, McConnell, Minnan-Wong, Nunziata, Palacio, Pantalone, Shiner, Silva, Stintz
No - 13	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cowbourne, Davis, Giambrone, Jenkins, Mihevc, Moscoe, Pitfield, Rae, Walker, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

12.167 J(49) Scarborough and the Media - Request for a Media Fairness Protocol

September 27, 2006:

Deputy Mayor Bussin in the Chair.

Councillor Kelly, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller in the Chair.

Councillor Kelly moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Kelly

Seconded by: Councillor Thompson

“WHEREAS Scarborough is a wonderful community of beautiful parks and neighbourhoods; and

WHEREAS Scarborough has produced terrific athletes and world class entertainers; and

WHEREAS Scarborough is home to the City of Toronto Zoo, one of the world’s premier Zoos; and

WHEREAS Scarborough has local theatre, arts organizations and orchestras second to none; and

WHEREAS Scarborough is the only pre-amalgamation community to retain its historic boundaries; and

WHEREAS Scarborough’s residents are proud of their past and confident of its future; and

WHEREAS the media, when reporting occurrences of crime in other areas of the City, use the street names or that of the local community, but uses the name Scarborough when reporting occurrences of crime in the east end of the City; and

WHEREAS the real estate value of homes in Scarborough is deleteriously affected by the media’s continual use of Scarborough when reporting on crime; and

WHEREAS Toronto Police Division 42 has the second lowest crime rate in the City of Toronto; and

WHEREAS crime occurring in a few localized areas is attributed to the larger Scarborough community; and

WHEREAS a writer for the National Post, after a two-week tour of communities across Toronto, declared Scarborough as the City’s most attractive community;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council request the media to stop using the name Scarborough when reporting crime that takes place east of Victoria Park Avenue;

AND FURTHER BE IT RESOLVED THAT the print and broadcast media be requested to sign a protocol, when crime is reported east of Victoria Park Avenue, to use only the street name, community, or nearest arterial intersection, as is done in other areas of the City of Toronto.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(49) to the Executive Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(49) to the Executive Committee was taken as follows:

Yes - 12 Councillors:	Bussin, Carroll, Cho, De Baeremaeker, Del Grande, Di Giorgio, Giambrone, Holyday, Kelly, Nunziata, Palacio, Walker
No - 21 Mayor: Councillors:	Miller Barron, Cowbourne, Davis, Feldman, Filion, Fletcher, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Shiner, Silva, Stintz, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

Disposition:

Due to the above decision of Council, Motion J(49) was referred to the Executive Committee.

12.168 J(50) Increasing the City’s Indoor and Outdoor Rinks

September 26, 2006:

Mayor Miller in the Chair.

Councillor Saundercook, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which

carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Grimes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Grimes

Seconded by: Councillor Saundercook

“**WHEREAS** hockey is a favourite Canadian pastime in which boys, girls and adults of all ages want to participate; and

WHEREAS there have not been any new arenas built in the City of Toronto since 1981, and there are currently no future plans to build any additional ice rinks in the City; and

WHEREAS Girl’s hockey is becoming one of the fastest growing sports, and more ice time availability is required to accommodate these types of leagues as they too require a fair share of ice time;

NOW THEREFORE BE IT RESOLVED THAT the General Manager, Parks, Forestry and Recreation be requested to report to the Community Development and Recreation Committee on the feasibility of adding an outdoor rink to existing indoor rinks, where possible, in order to make the operation more efficient across the City, and increase the overall number of ice pads available for sports and recreational skating;

AND BE IT FURTHER RESOLVED THAT the General Manager, Parks, Forestry and Recreation, in consultation with Toronto Economic Development Corporation, the Toronto Fire Service, Emergency Medical Services, the Toronto Public Library, and the Toronto School Boards, be requested to explore possible partnership opportunities when investigating the possibility of building multi-pad facilities and report to the Community Development and Recreation Committee on a long-term strategy to replace the City’s aging arena infrastructure, and on multi-pad facilities by February 2007.”

Advice by Deputy Mayor:

Deputy Mayor Pantalone advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(50) to the Community

Development and Recreation Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(50) to the Community Development and Recreation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(50) was adopted, without amendment.

12.169 J(51) Ontario Municipal Board Hearing - 46 and 48 Churchill Avenue

September 25, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Filion, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by the owners of 46 and 48 Churchill Avenue, for consent to sever two residential properties fronting onto the north side of Churchill Avenue into four residential properties having frontages of 10.42m, 10.5m, 10.6m and 10.06m each; and

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the four associated minor variance applications requesting variances for lot frontage and width, lot area, lot coverage, east and west side yard setbacks, dwelling length, finished first floor elevation and height; and

WHEREAS Planning staff commented the lots fronting onto Churchill Avenue, while smaller than the by-law requirement, would not be out of character with the mix of lot sizes presently found in the area; and

WHEREAS staff further commented that the lot fronting onto Basswood Road would be substantially smaller than the other lots on Basswood, to which it bears a direct relationship, and that the removal of the fourth lot would bring the lot areas of the three remaining properties closer to the lot area requirement of the by-law; and

WHEREAS the applicant has appealed the decisions of the Committee of Adjustment for the severance and minor variance applications to the Ontario Municipal Board; and

WHEREAS no date has been set for the hearing of the appeals;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to uphold the City's by-law and the Committee of Adjustment's decisions."

Advice by Deputy Mayor:

Deputy Mayor Pantalone advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(51) to the North York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(51) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(51), the following which are on file in the City Clerk's Office:

- (i) Notice of Decision, Minor Variance/Permission (May 8, 2006) for 46 Churchill Avenue, File No. A0241/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;
- (ii) Notice of Decision, Minor Variance/Permission (May 8, 2006) for 46 Churchill Avenue, File No. A0240/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;
- (iii) Notice of Decision, Consent (May 12, 2006) for 46 Churchill Avenue, File No. B0027/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;

- (iv) Notice of Decision, Minor Variance/Permission (May 8, 2006) for 48 Churchill Avenue, File No. A0239/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;
- (v) Notice of Decision, Minor Variance/Permission (May 8, 2006) for 48 Churchill Avenue, File No. A0238/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;
- (vi) Notice of Decision, Consent (May 8, 2006) for 48 Churchill Avenue, File No. B0026/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel; and
- (vii) Extracts from the Minutes of the North York Panel Committee of Adjustment meeting held on May 4, 2006, regarding 46 and 48 Churchill Avenue.

Vote:

Motion J(51) was adopted, without amendment.

12.170 J(52) Ontario Municipal Board Hearing - 200 Harlandale Avenue

September 25, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Fillion, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Fillion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Fillion

Seconded by: Councillor Moscoe

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by the owners of 200 Harlandale Avenue, for

consent to sever a residential property fronting onto the north side of Harlandale Avenue into two residential properties having frontages of 7.62m each; and

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated minor variance applications requesting variances for lot frontage and width, lot area, lot coverage, front yard setback, east and west side yard setbacks, finished first floor elevation and front yard landscaping; and

WHEREAS Planning staff commented that the proposed lots would be the smallest lots in the area and would be contrary to the by-law requirements and that, due to the existing pattern of lot frontages found in the study area, the creation of smaller lots by severance is neither desirable nor appropriate in this instance; and

WHEREAS the applicant has appealed the decisions of the Committee of Adjustment for the severance and minor variance applications to the Ontario Municipal Board; and

WHEREAS no date has been set for the hearing of the appeals;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to uphold the City's by-law and the Committee of Adjustment's decisions."

Advice by Deputy Mayor:

Deputy Mayor Pantalone advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(52) to the North York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(52) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(52), the following which are on file in the City Clerk's Office:

- (i) Notice of Decision, Minor Variance/Permission (August 10, 2006) for 200 Harlandale Avenue, File No. A0550/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel; and
- (ii) Extracts from the Minutes of the North York Panel Committee of Adjustment meeting held on August 3, 2006, regarding 200 Harlandale Avenue.

Vote:

Motion J(52) was adopted, without amendment.

12.171 J(53) Extension of Implementation Date for the Harmonized Sick Leave Plan

September 27, 2006:

Deputy Mayor Bussin in the Chair.

Councillor Watson, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Watson moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Watson

Seconded by: Councillor Kelly

“WHEREAS in July 2006, City Council adopted, as amended, Policy and Finance Report 4, Deferred Clause 29c, headed ‘Harmonization of Sick Leave Plans for Management and Non-Union Employees’, which implemented a Harmonized Short-Term Disability plan for all Management and Non-Union employees, except for Councillors’ staff; and

WHEREAS City Council approved January 1, 2008, as the implementation date for the Harmonized Short-Term Disability Plan for Management and Non-Union Employees, except for Councillors’ staff; and

WHEREAS City Council referred the issue of the implementation date of the Harmonized Short Term Disability Plan for Councillors’ staff back to the Employee and Labour Relations Committee for consideration; and

WHEREAS it would not be fair for some City of Toronto employees to be treated differently from others; and

WHEREAS the City of Toronto Administrative, Professional, Supervisory Association Incorporated (COTAPSAI) believes it is inappropriate to extend the implementation date of the Harmonized Short-Term Disability Plan for Management and Non-Union Employees for only a select group of City employees [see attached communication 61(a) previously distributed]; and

WHEREAS the July 5, 2006 staff report, entitled ‘Sick Leave Plan – Financial Impact of Extending Implementation Date’, recognizes that, in order to treat employees fairly and equitably, the implementation date should be the same for all Management and Non-Union employees; and

WHEREAS the need to extend the implementation date of the Harmonized Sick Leave Plan beyond January 1, 2008, dates back to the amalgamation of the City of Toronto in 1998;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 4, Deferred Clause 29c, headed ‘Harmonization of Sick Leave Plans for Management and Non-Union Employees’, be re opened for further consideration, only as it pertains to the implementation date of the plan;

AND BE IT FURTHER RESOLVED THAT the implementation date for the Harmonization of Sick Leave Plans for all Management and Non-Union Employees be March 1, 2008, rather than January 1, 2008.”

Council also had before it, during consideration of Motion J(53), a communication (September 26, 2006) from Richard Majkot, Executive Director, City of Toronto Administrative, Professional, Supervisory Association, Incorporated, which is on file in the City Clerk’s Office.

Votes:

Adoption of the first Operative Paragraph contained in Motion J(53):

Yes - 31	Councillors: Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Shiner, Stintz, Thompson, Walker, Watson
No - 7	Councillors: Del Grande, Giambrone, Mihevc, Pantalone, Rae, Silva, Soknacki

Carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(53) was adopted, without amendment.

Summary:

In summary, Council re-opened Policy and Finance Committee Report 4, Deferred Clause 29c, headed “Harmonization of Sick Leave Plans for Management and Non-Union Employees”, for further consideration, only as it pertains to the implementation date of the plan, and adopted the balance of this Motion, without amendment.

12.172 J(54) Alcohol and Gaming Commission of Ontario (AGCO), Dreams Restaurant, 9 Milvan Drive, Units 1 and 2, Toronto, Ontario

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Mammoliti, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller in the Chair.

Councillor Mammoliti moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mammoliti

Seconded by: Councillor Palacio

“**WHEREAS** Dreams Restaurant & Lounge Inc. (‘Dreams’) is the holder of a liquor licence for an establishment located at 9 Milvan Drive, Units 1 and 2, in the City of Toronto and operating as Dreams Restaurant & Lounge (the ‘Licensed Premises’); and

WHEREAS at its meeting of May 23, 24 and 25, 2006, Council adopted, as amended, Etobicoke York Community Council Report 4, Clause 39, headed ‘Liquor Licence Application - 9 Milvan Drive, Units 1 and 2 (Ward 7 - York West)’, supporting the issuance of a liquor licence for the Licensed Premises, subject to a number of conditions to be added to the liquor licence; and

WHEREAS the Alcohol and Gaming Commission of Ontario (the ‘AGCO’) granted

a liquor licence to the Licensed Premises, subject to a number of conditions as approved by Council; and

WHEREAS Dreams is now asking the City to consent to a variation of some of the conditions relating to security guards and security checks because of economic hardship; and

WHEREAS it would be appropriate for Council to consent to a variation of one of the conditions relating to security guards and security checks;

NOW THEREFORE BE IT RESOLVED THAT City Council support the variation of Condition No. 11 of Decision [2006] O.A.G.C.D. No. 270 with respect to the Licensed Premises and the requirement to have security guards present to conduct security checks:

from:

‘11. Certain hours of operations is defined as:

- (a) any Friday, Saturday or Sunday night between 9:00 p.m. and 3:30 a.m.; or
- (b) any time that a cover charge is required for entry; or
- (c) any time that live entertainment, including a disk jockey or band, is featured.’

to:

‘11. Certain hours of operations is defined as:

- (a) any time that a cover charge is required for entry; and
- (b) any time that live entertainment, including a disc jockey or band, is featured.’;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be authorized to take all necessary actions so as to give effect to this Resolution.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(54) to the Etobicoke York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(54) to the Etobicoke York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(54) was adopted, without amendment.

12.173 J(55) 172 Danforth Avenue (Ralph Day Funeral Home) – Inclusion on the City of Toronto Inventory of Heritage Properties (Ward 29 – Toronto-Danforth)

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Ootes, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller in the Chair.

Councillor Ootes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ootes

Seconded by: Councillor Rae

“WHEREAS the property located at 172 Danforth Avenue contains a funeral home, dating to 1922, which has design or physical value as a representative example of a commercial building with features of Neo-Gothic styling, and has contextual value as a local landmark on Danforth Avenue, east of Broadview Avenue; and

WHEREAS the Toronto Official Plan states that significant heritage resources will be conserved; and

WHEREAS there is a development application for the property at 172 Danforth Avenue that would involve the replacement of the existing building with a new structure; and

WHEREAS this is an urgent Motion as, given that this is a commercial property, it has no protection from demolition; and

NOW THEREFORE BE IT RESOLVED THAT following consultation with the Toronto Preservation Board at its meeting scheduled for October 19, 2006, City Council authorize the inclusion of the property at 172 Danforth Avenue (Ralph Day Funeral Home) on the City of Toronto Inventory of Heritage Properties;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(55) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(55) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(55) was adopted, without amendment.

**12.174 J(56) Final Report – Official Plan Amendment and Rezoning Application -
Applicant: Imperial Oil Inc.; 6 Aldgate Avenue**

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Milczyn, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller in the Chair.

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Milczyn

Seconded by: Councillor Grimes

“WHEREAS City Council at its meeting of September 25, 26 and 27, 2006, adopted, as amended, Etobicoke York Community Council Report 7, Clause 18, headed ‘Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue’; and

WHEREAS Bills were introduced before a necessary technical amendment to the Clause had been approved by City Council;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke York Community Council Report 7, Clause 18, headed ‘Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue’, be re-opened for further consideration, only as it relates to Recommendation (5) contained in the report dated August 28, 2006, from the Director, Community Planning, Etobicoke York District;

AND BE IT FURTHER RESOLVED THAT Recommendation (5) be amended by inserting the words ‘site plan’ before the word ‘approval’ so that Recommendation (5) now reads as follows:

‘as a condition of site plan approval, require the applicant to provide adequate funds to reinstate grass boulevards and street trees along The Queensway in front of each of the first three abutting properties to the immediate west of the existing gas station’;

AND BE IT FURTHER RESOLVED THAT the City Solicitor submit the necessary Bills to the special meeting of City Council on September 28, 2006.”

Votes:

The first Operative Paragraph contained in Motion J(56) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(56) was adopted, without amendment.

Summary:

In summary, Council re-opened Etobicoke York Community Council Report 7, Clause 18, headed “Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue”, for further consideration, only as it relates to Recommendation (5) contained in the report dated August 28, 2006, from the Director, Community Planning, Etobicoke York District, and adopted the balance of this Motion without amendment.

[See Minute 12.50, Page 37, for Council’s action on Etobicoke York Community Council

Report 7, Clause 18, headed “Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue.]

**12.175 J(57) Acquisition of Land – 11 St. Anne’s Road, Heydon Park Secondary School
September 28, 2006:**

Deputy Mayor Pantalone in the Chair.

Councillor McConnell, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Carroll

“**WHEREAS** at its regular meeting on September 25, 26 and 27, 2006, City Council considered and adopted Motion J(31), moved by Councillor McConnell, seconded by Councillor Filion, entitled ‘Approval to Authorize the Acquisition of 11 St. Anne’s Road (Heydon Park Secondary School) for Use by the Toronto Police Service’; and

WHEREAS Motion J(31) was premised on the stated understanding of City staff that, ‘the Toronto District School Board advised that they would be willing to sell the property but, in order for the City to acquire the subject property, the Toronto District School Board requires an unconditional commitment from City Council regarding the acquisition of this property prior to November 11, 2006, in order to meet the prescribed time lines contained within Ontario Regulation 444/98’; and

WHEREAS new written communication has been received from the Executive Superintendent of Facility Services of the Toronto District School Board indicating that, ‘the November 11, 2006 response date has no impact on the City’s ability to purchase Heydon (Park Secondary School)’; and

WHEREAS the Executive Director’s communication was confirmed by an accompanying letter from a Board lawyer; and

WHEREAS the local community has been promised adequate time for proper consultation by both the City and the Toronto District School Board, specifically meaning that a decision was not expected before January 2007; and

WHEREAS the City's rights to the purchase of Heydon Park secondary School are not compromised by deferring consideration of the matter until proper consultation can be undertaken;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(31), moved by Councillor McConnell, seconded by Councillor Filion, entitled 'Approval to Authorize the Acquisition of 11 St. Anne's Road (Heydon Park Secondary School) for Use by the Toronto Police Service', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Motion J(31) be rescinded;

AND BE IT FURTHER RESOLVED THAT consideration of the confidential staff report appended to Motion J(31) be deferred to the January 2007 meeting of City Council."

Council also had before it, during consideration of Motion J(57), the following communications which are on file in the City Clerk's Office:

- (i) (September 28, 2006) from Councillor Pam McConnell, Ward 28, Toronto Centre-Rosedale; and
- (ii) (September 27, 2006) from Peter D. Quinn, McCarthy Tétrault, Barristers and Solicitors.

Votes:

The first Operative Paragraph contained in Motion J(57) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(57) was adopted, without amendment.

Summary:

In summary, Council re-opened Motion J(31), moved by Councillor McConnell, seconded by Councillor Filion, entitled "Approval to Authorize the Acquisition of 11 St. Anne's Road (Heydon Park Secondary School) for Use by the Toronto Police Service", rescinded its action on that Motion and adopted the balance of Motion J(57) without amendment.

12.176 J(58) 1213 Danforth Avenue (Allenby Theatre) - Intention to Designate under Part IV of the *Ontario Heritage Act* – Ward 30 (Toronto-Danforth)**September 28, 2006:**

Mayor Miller in the Chair.

Councillor Fletcher, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Pantalone in the Chair.

Councillor Fletcher moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Fletcher**Seconded by: Councillor Rae**

“WHEREAS the property at 1213 Danforth Avenue, containing the Allenby Theatre (more recently known as the Roxy Theatre) is listed on the City of Toronto Inventory of Heritage Properties; and

WHEREAS the Allenby theatre has design or physical value as a representative example of a movie theatre built between World Wars I and II with features of Art Deco styling, and has contextual value as a local landmark on Danforth Avenue; and

WHEREAS the Allenby Theatre meets the criteria prescribed by the Province of Ontario for municipal designation under Part IV of the *Ontario Heritage Act*; and

WHEREAS the Toronto Official Plan states that significant heritage resources will be conserved; and

WHEREAS this is an urgent motion because there is concern about the potential redevelopment of the property at 1213 Danforth Avenue and, given that it is a commercial property, it has no protection from demolition;

NOW THEREFORE BE IT RESOLVED THAT, following consultation with the Toronto Preservation Board at its meeting scheduled for October 19, 2006, City Council give notice of its intention to designate the property at 1213 Danforth Avenue (Allenby Theatre) under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Advice by Deputy Mayor:

Deputy Mayor Pantalone advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(58) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(58) to the Toronto and East York Community Council was taken as follows:

Yes - 27 Councillors:	Ainslie, Ashton, Barron, Carroll, Cho, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, McConnell, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Silva, Stintz, Walker, Watson
No - 2 Councillors:	Del Grande, Holyday

Carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Adoption of Motion J(58), without amendment.

Yes - 24 Councillors:	Ainslie, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, McConnell, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Silva, Soknacki, Walker, Watson
No - 6 Councillors:	Del Grande, Feldman, Holyday, Kelly, Shiner, Stintz

Carried by a majority of 18.

12.177 J(59) Policy on Renewal of Existing Long-Term Leases of City Property by Small Business**September 28, 2006:**

Mayor Miller in the Chair.

Deputy Mayor Bussin, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Pantalone in the Chair.

Deputy Mayor Bussin moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Deputy Mayor Bussin**Seconded by: Councillor Rae**

“WHEREAS the City does not have a policy to respond to proposals from small business owners who are already in lease agreements with the City; and

WHEREAS it is desirable for the City to have such a policy;

NOW THEREFORE BE IT RESOLVED THAT the Deputy City Manager and Chief Financial Officer and the City Solicitor be requested to review and report on a policy with respect to the renewal of existing long-term leases of a City property by a small business in the circumstances where the City intends to renew a lease for the property for the same or similar purpose, in order to encourage and support small business entities that are serving the City of Toronto.”

Advice by Deputy Mayor:

Deputy Mayor Pantalone advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(59) to the General Government Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(59) to the General Government Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Soknacki moved that Motion J(59) be amended by adding the following to the Operative Paragraph:

“such report to include, but not be limited to:

- (1) the desirability of such a policy;
- (2) the circumstances under which such a policy will apply; and
- (3) how such a policy will impact existing purchasing policies.”,

so the Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT the Deputy City Manager and Chief Financial Officer and the City Solicitor be requested to review and report on a policy with respect to the renewal of existing long-term leases of a City property by a small business in the circumstances where the City intends to renew a lease for the property for the same or similar purpose, in order to encourage and support small business entities that are serving the City of Toronto, such report to include, but not be limited to:

- (1) the desirability of such a policy;
- (2) the circumstances under which such a policy will apply; and
- (3) how such a policy will impact existing purchasing policies.”

Vote:

The motion by Councillor Soknacki carried.

Motion J(59), as amended, carried.

BILLS AND BY-LAWS

Mayor Miller in the Chair.

12.178 On September 25, 2006, at 10:42 a.m., Councillor Soknacki, seconded by Councillor Moscoe, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 794	By-law No. 762-2006	To authorize the borrowing upon five year sinking fund debentures in the principal amount of \$100,000,000.00 for purposes of the City of Toronto.
Bill No. 795	By-law No. 763-2006	To authorize the borrowing upon ten year sinking fund debentures in the

principal amount of \$100,000,000.00
for purposes of the City of Toronto,

the vote upon which was taken as follows:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Del Grande, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Saundercook, Silva, Soknacki, Walker, Watson
No - 2	
Councillors:	Minnan-Wong, Shiner

Carried by a majority of 33.

Deputy Mayor Pantalone in the Chair.

12.179 On September 25, 2006, at 7:29 p.m., Councillor Palacio, seconded by Councillor Nunziata, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 1070	By-law No. 764-2006	To confirm the proceedings of the Council at its meeting held on the 25 th day of September, 2006,
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the vote upon which was taken as follows:

Yes - 28	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Pantalone, Rae, Saundercook, Silva, Soknacki
No - 7	
Councillors:	Del Grande, Minnan-Wong, Nunziata, Shiner, Stintz, Walker, Watson

Carried by a majority of 21.
Mayor Miller in the Chair.

12.180 On September 26, 2006, at 7:21 p.m., Councillor Jenkins, seconded by Councillor McConnell, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 1071	By-law No. 765-2006	To confirm the proceedings of the Council at its meeting held on the 25 th and 26th days of September, 2006,
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the vote upon which was taken as follows:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Barron, Bussin, Carroll, Cho, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Silva, Soknacki, Stintz, Thompson, Walker, Watson
No - 1	
Councillor:	Pantalone

Carried by a majority of 38.

12.181 On September 27, 2006, at 7:28 p.m., Councillor De Baeremaeker, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 752	By-law No. 766-2006	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Woodward Avenue.
Bill No. 753	By-law No. 767-2006	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Woodward Avenue.
Bill No. 755	By-law No. 768-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 166 Dowling Avenue.
Bill No. 756	By-law No. 769-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands

		municipally known as 18 Spencer Avenue.
Bill No. 757	By-law No. 770-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1544 King Street West.
Bill No. 758	By-law No. 771-2006	To authorize the alteration of St. Clair Avenue West, between St. Clair Avenue West subway station entrance west of Tweedsmuir Avenue and Vaughan Road, by construction of the Preferred Design Concept identified through the St. Clair Avenue West Transit Improvements Class Environmental Assessment study process.
Bill No. 759	By-law No. 772-2006	To adopt Amendment No. 7 to the Official Plan for the City of Toronto with respect to lands municipally known as 2 Torham Place.
Bill No. 760	By-law No. 773-2006	To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Tapscott), as amended, with respect to lands municipally known as 2 Torham Place.
Bill No. 761	By-law No. 774-2006	To amend former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, to facilitate the pedestrian clearway project on College Street.
Bill No. 762	By-law No. 775-2006	To exempt certain lands municipally known as 450 Horner Avenue from Part Lot Control.
Bill No. 763	By-law No. 776-2006	To authorize the alteration of Riverdale Avenue, between Broadview Avenue and Carlaw Avenue, by the installation of speed humps.

Bill No. 764	By-law No. 777-2006	To authorize the alteration of Booth Avenue, between Queen Street East and Eastern Avenue, by the installation of speed humps.
Bill No. 765	By-law No. 778-2006	To authorize the alteration of Dagmar Avenue, between Dundas Street East and Jones Avenue, by the installation of speed humps.
Bill No. 766	By-law No. 779-2006	To authorize the alteration of Osler Street, between Dupont Street and Cariboo Avenue, by the installation of speed humps.
Bill No. 767	By-law No. 780-2006	To authorize the alteration of Caroline Avenue, between Eastern Avenue and Queen Street East, by the installation of speed humps.
Bill No. 768	By-law No. 781-2006	To authorize the alteration of Winnifred Avenue, between Eastern Avenue and Queen Street East, by the installation of speed humps.
Bill No. 769	By-law No. 782-2006	To authorize the alteration of Berkshire Avenue, between Eastern Avenue and Queen Street East, by the installation of speed humps.
Bill No. 770	By-law No. 783-2006	To authorize the alteration of Winnett Avenue, between Hursting Avenue and Vaughan Road, by the installation of four speed humps.
Bill No. 771	By-law No. 784-2006	To authorize the alteration of Cedarvale Avenue, between Strathmore Boulevard and Sammon Avenue, by the installation of speed humps.
Bill No. 772	By-law No. 785-2006	To authorize the alteration of the intersection of Pape Avenue and Riverdale Avenue by extending the curb on the northeast, northwest and southwest corners.

Bill No. 773	By-law No. 786-2006	To authorize the alteration of St. George Street, between College Street and Bloor Street West.
Bill No. 774	By-law No. 787-2006	To name the private lanes on the south side of Treewood Street between Midland Avenue and Brockley Drive as "Archibald Mews" and "Tiller Lane".
Bill No. 775	By-law No. 788-2006	To name the private street at 25 Highview Avenue and the rear of 188 to 208 Downsview Avenue as "Maurice Coulter Mews".
Bill No. 776	By-law No. 789-2006	To name the private lane at 134, 136 and 138 Finch Avenue West as "Routliffe Lane".
Bill No. 777	By-law No. 790-2006	To name the private lane at 203, 205 and 215 Finch Avenue East as "Garvin Mews".
Bill No. 778	By-law No. 791-2006	To amend By-law No. 1129-87 of the former City of York, being a By-law "To prescribe a speed limit of 40 kilometres per hour", on Woodward Avenue.
Bill No. 779	By-law No. 792-2006	To authorize the alteration of Church Street, between Cypress Street and Pine Street.
Bill No. 780	By-law No. 793-2006	To dedicate certain land on the east side of Morningside Avenue north of Fordover Drive for public highway purposes to form part of the public highway Morningside Avenue.
Bill No. 781	By-law No. 794-2006	To amend further By-law No. 23503 of the former City of Scarborough respecting the regulation of traffic on Toronto Roads.

Bill No. 782	By-law No. 795-2006	To designate the property at 347 Bay Street (The National Building) as being of cultural heritage value or interest.
Bill No. 783	By-law No. 796-2006	To designate the property at 48 Havelock Street (Sylvan Apartments) as being of cultural heritage value or interest.
Bill No. 784	By-law No. 797-2006	To designate the property at 260 Richmond Street West (Tip Top Tailors Warehouse) as being of cultural heritage value or interest.
Bill No. 786	By-law No. 798-2006	To designate the Weston Heritage Conservation District Area - Phase 1 as a Heritage Conservation District.
Bill No. 787	By-law No. 799-2006	To exempt certain lands municipally known as 577 Oxford Street from Part Lot Control.
Bill No. 788	By-law No. 800-2006	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting clothing drop box businesses in the City of Toronto, and to amend City of Toronto Municipal Code Chapter 629, Property Standards.
Bill No. 789	By-law No. 801-2006	To designate an area that includes the existing Bloor-Yorkville Business Improvement Area as an Improvement Area.
Bill No. 790	By-law No. 802-2006	To designate an area that includes the existing St. Lawrence Market Neighbourhood Business Improvement Area as an Improvement Area.
Bill No. 791	By-law No. 803-2006	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to reflect the expanded boundaries of the Bloor-Yorkville Business Improvement Area.

Bill No. 792	By-law No. 804-2006	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to reflect the expanded boundaries of the St. Lawrence Market Neighbourhood Business Improvement Area.
Bill No. 793	By-law No. 805-2006	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to make changes to the size of various Business Improvement Area Boards of Management.
Bill No. 797	By-law No. 806-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto, with respect to lands municipally known as 524 Dupont Street and 903 Palmerston Avenue.
Bill No. 799	By-law No. 807-2006	To name the private street located between 480 and 500 Queens Quay West as “Yo-Yo Ma Lane”.
Bill No. 800	By-law No. 808-2006	To name the public lane north of College Street, between Shaw Street and Roxton Road, as “Achtman Lane”.
Bill No. 801	By-law No. 809-2006	To name the proposed private lane at 301 Cedarvale Avenue as “Carruthers Lane”.
Bill No. 802	By-law No. 810-2006	To name the proposed private lanes at 77 Janda Court as “Frost King Lane” and “Pedigree Mews”.
Bill No. 803	By-law No. 811-2006	To name the proposed private lane at 1100 Islington Avenue as “Furrow Lane”.
Bill No. 804	By-law No. 812-2006	To name the proposed private lane at 17 Frith Road as “Lambrinos Lane”.
Bill No. 805	By-law No. 813-2006	To name the private lane located

		124 metres north of Carlton Street, extending from Jarvis Street to Mutual Street as “Sirman Lane”.
Bill No. 806	By-law No. 814-2006	To rename the east-west portion of Hanna Avenue as “Snooker Street”.
Bill No. 807	By-law No. 815-2006	To designate an area along Sheppard Avenue East between Midland Avenue and Markham Road, as an improvement area.
Bill No. 808	By-law No. 816-2006	To adopt Amendment No. 1152 to the Official Plan for the former City of Scarborough with respect to lands municipally known as 1236 Birchmount Road and 2155 Lawrence Avenue East.
Bill No. 809	By-law No. 817-2006	To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Wexford Employment District), as amended with respect to lands municipally known as 1236 Birchmount Road and 2155 Lawrence Avenue East.
Bill No. 810	By-law No. 818-2006	To designate an area along Spadina Avenue between College Street and Sullivan Street and along Dundas Street West between Augusta Avenue and Beverley Street, as an improvement area.
Bill No. 811	By-law No. 819-2006	To permanently close part of the public highway Hilltop Road, abutting Premises No. 27 Ridge Hill Drive.
Bill No. 812	By-law No. 820-2006	To permanently close part of the above-grade portion of the public lane known as Victoria Street Lane, between Premises No. 26 and 38 Shuter Street.

Bill No. 813	By-law No. 821-2006	To permanently close the public lanes south of Front Street East, east of Cherry Street and on both sides of Overend Street, within the West Don Lands Precinct.
Bill No. 814	By-law No. 822-2006	To permanently close part of the public highway Dufferin Street, abutting Premises No. 2069 Dufferin Street.
Bill No. 815	By-law No. 823-2006	To exempt certain lands known municipally as 17-19 Frith Road from Part Lot Control.
Bill No. 816	By-law No. 824-2006	To exempt certain lands municipally known as 4177 Lawrence Avenue East from Part Lot Control.
Bill No. 817	By-law No. 825-2006	To authorize the alteration of Wyndale Drive, between Culford Drive and Keele Street, by the installation of speed humps.
Bill No. 818	By-law No. 826-2006	To authorize the alteration of Winona Drive, between Hursting Avenue and Earlsdale Avenue, by the installation of speed humps.
Bill No. 819	By-law No. 827-2006	To amend former City of Scarborough Zoning By-law No. 10827, as amended, with respect to Parts 1-3, Plan 66R-21919 (Land located behind 84, 86, 92 and 94 Scarboro Ave.) and S/W rear corner of 92 Scarboro Avenue, within the Highland Creek Community.
Bill No. 821	By-law No. 828-2006	To amend Chapters 320 and 324 of the Etobicoke Zoning Code, as amended with respect to lands municipally known as 613 Evans Avenue.
Bill No. 822	By-law No. 829-2006	To amend former City of York Zoning By-law No. 1-83, as amended, with respect to the areas in the vicinity of the intersections of Vaughan Road and

		Oakwood Avenue and Rogers Road and Oakwood Avenue for designation as an “Arts District”.
Bill No. 823	By-law No. 830-2006	To designate the property at 53 Turner Road (John Agnew House) as being of cultural heritage value or interest.
Bill No. 824	By-law No. 831-2006	To authorize the alteration of the south side of Bloor Street West by widening the pavement from a point 92 metres west of Queen’s Park/Avenue Road to a point 20 metres further west, to construct a lay-by.
Bill No. 825	By-law No. 832-2006	To adopt Amendment No. 372 to the Official Plan for the former City of Toronto with respect to lands municipally known as 317-319 Lonsdale Road.
Bill No. 826	By-law No. 833-2006	To amend City of Toronto Municipal Code Chapter 447, Fences to exempt the front yard fence on the property municipally known as 2777 Kipling Avenue from the maximum height requirements.
Bill No. 827	By-law No. 834-2006	To designate an area along Albion Road between Lund Avenue and west of John Grubb Court, as an improvement area.
Bill No. 828	By-law No. 835-2006	To designate an area along Dundas Street West between the CNR Tracks west of Lansdowne Avenue and Rusholme Road/Lisgar Street, as an improvement area.
Bill No. 829	By-law No. 836-2006	To designate an area along Queen Street East between Victoria Street and River Street, as an improvement area.
Bill No. 830	By-law No. 837-2006	To repeal By-law Nos. 3298-96 and

		3370-96 of the former City of York, being by-laws to designate the Upper Village (York) Business Improvement Area.
Bill No. 831	By-law No. 838-2006	To designate an area that includes the existing Upper Village Business Improvement Area in the former City of Toronto as an Improvement Area.
Bill No. 832	By-law No. 839-2006	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to reflect the expanded boundaries of the Upper Village Business Improvement Area.
Bill No. 833	By-law No. 840-2006	To designate an area that includes the existing Little Italy Business Improvement Area as an Improvement Area.
Bill No. 834	By-law No. 841-2006	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to reflect the expanded boundaries of the Little Italy Business Improvement Area.
Bill No. 835	By-law No. 842-2006	To permanently close a portion of the Schick Court road allowance, at the north east corner of Progress Avenue and Schick Court.
Bill No. 836	By-law No. 843-2006	To exempt lands municipally known as 975 The Queensway from Part Lot Control.
Bill No. 837	By-law No. 844-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 2129 St Clair Avenue West.
Bill No. 838	By-law No. 845-2006	To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Oakridge),

		as amended and the City of Toronto Zoning By-law No. 950-2005 (Warden Woods Community Zoning By-law), as amended with respect to lands municipally known as 673 Warden Avenue.
Bill No. 839	By-law No. 846-2006	To amend the former City of North York Zoning By-law No. 7625, as amended with respect to lands municipally known as 129 Gorman Park Road.
Bill No. 840	By-law No. 847-2006	To amend the former City of North York Zoning By-law No. 7625, as amended with respect to the lands municipally known as 4442-4450 Bathurst Street.
Bill No. 841	By-law No. 848-2006	To amend By-law No. 553-2000, being a by-law to designate an area on both sides of Yonge Street from Crescent Road to the south and Woodlawn Avenue to the north as an improvement area, and to amend Municipal Code Chapter 19, Business Improvement Areas, to replace Map No. 2 of the improvement area.
Bill No. 842	By-law No. 849-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the rear yard fence on the property municipally known as 194 Floyd Avenue from the maximum height requirements.
Bill No. 843	By-law No. 850-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the front yard fence on the property municipally known as 166 Balsam Avenue from the maximum height requirements.
Bill No. 844	By-law No. 851-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt

		the proposed fence in the front yard of the property municipally known as 54 St. Leonards Avenue from the maximum height requirements.
Bill No. 845	By-law No. 852-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt a portion of a fence in the rear yard of the property municipally known as 52 Heathcote Avenue.
Bill No. 846	By-law No. 853-2006	To amend City of Toronto Municipal Code Chapter 447, Fences to exempt a portion of a swimming pool enclosure on the property municipally known 346 Riverview Drive from certain construction standards.
Bill No. 847	By-law No. 854-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the rear yard fence on the property municipally known as 44 Daleside Crescent from the maximum height requirements.
Bill No. 848	By-law No. 855-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt a portion of a swimming pool enclosure on the property municipally known as 10 Crofton Road from certain construction standards.
Bill No. 849	By-law No. 856-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt a portion of a swimming pool enclosure on the property municipally known as 10 Paris Court from certain construction standards.

Bill No. 850	By-law No. 857-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt a portion of a proposed swimming pool enclosure on the property municipally known as 257 Lytton Boulevard from certain construction standards.
Bill No. 851	By-law No. 858-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the front yard fence on the property municipally known as 108 Stratford Crescent from the maximum height requirements.
Bill No. 852	By-law No. 859-2006	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt a tennis court enclosure which forms part of a swimming pool enclosure for the property municipally known as 172 The Bridle Path, from the mesh size requirements.
Bill No. 853	By-law No. 860-2006	To authorize the alteration of Plains Road, between Coxwell Avenue and Woodbine Avenue, by the installation of speed humps.
Bill No. 854	By-law No. 861-2006	To amend the Scarborough Village Community Zoning By-law No. 10010, as amended, of the former City of Scarborough, with respect to the lands municipally known as 3354 Kingston Road.
Bill No. 855	By-law No. 862-2006	To amend City of Toronto Municipal Code Chapter 693, Signs respecting Election Signs.
Bill No. 856	By-law No. 863-2006	To amend City of Toronto Municipal Code Chapter 103, Heritage, to provide a notification procedure for demolition of properties listed on the Inventory of Heritage Properties.
Bill No. 857	By-law No. 864-2006	To authorize the construction of work

		as a local improvement.
Bill No. 858	By-law No. 865-2006	To designate the property at 6 Church Street (Greey's Factory Building) as being of cultural heritage value or interest.
Bill No. 859	By-law No. 866-2006	To designate the property at 70 The Esplanade (Greey's Toronto Mill Furnishing Works Factory) as being of cultural heritage value or interest.
Bill No. 860	By-law No. 867-2006	To designate the property at 55 John Street (Metro Hall Council Chambers) as being of cultural heritage value or interest.
Bill No. 861	By-law No. 868-2006	To designate the property at 420 Bloor Street East (Dominion Bank Branch) as being of cultural heritage value or interest.
Bill No. 862	By-law No. 869-2006	To designate the property at 2201 Dundas Street West (Merchants Bank of Canada Branch) as being of cultural heritage value or interest.
Bill No. 863	By-law No. 870-2006	To establish the Design Exchange Maintenance Reserve Fund, the Light Emitting Diode (LED) Reserve Fund Account, the Innovation Reserve Fund Account, and the Balfour Park Improvements Reserve Fund and to amend Municipal Code Chapter 227, Reserves and Reserve Funds, to add them.
Bill No. 864	By-law No. 871-2006	To establish the Strategic Infrastructure Partnership Reserve Fund Account and to amend Municipal Code Chapter 227, Reserves and Reserve Funds, to add this reserve fund account.

Bill No. 865	By-law No. 872-2006	To amend City of Toronto Municipal Code Chapter 767, Taxation, respecting the delegation of the powers and functions of Council to the Assessment Review Board under section 359 of the <i>Municipal Act, 2001</i> .
Bill No. 866	By-law No. 873-2006	To amend City of Toronto Municipal Code Chapter 447, Fences to exempt the fence on the property municipally known as 2553 Lakeshore Boulevard West from the maximum height requirements.
Bill No. 868	By-law No. 874-2006	To adopt Amendment No. 17 to the Official Plan for the City of Toronto with respect to lands municipally known as 53 Old Kingston Road.
Bill No. 869	By-law No. 875-2006	To amend the former City of Scarborough West Hill Community Zoning By-law No. 10327, as amended with respect to lands municipally known as 53 Old Kingston Road.
Bill No. 870	By-law No. 876-2006	To dedicate certain land on the south side of Ellesmere Road east of Birchmount Road for public highway purposes to form part of the public highway Ellesmere Road.
Bill No. 871	By-law No. 877-2006	To dedicate certain land extending westerly from Ryerson Avenue to form part of the public lane north of Carr Street.
Bill No. 872	By-law No. 878-2006	To dedicate certain land on the east side of Bathurst Street for public highway purposes to form part of the public highway Carr Street.
Bill No. 873	By-law No. 879-2006	To adopt Amendment No. 5 to the Official Plan for the City of Toronto with respect to lands bounded by Eastern Avenue, Lake Shore Boulevard East, Don Valley Parkway and east of Woodfield Road.

Bill No. 874	By-law No. 880-2006	To authorize the alteration of Keele Street at Canarctic Road/York Boulevard.
Bill No. 876	By-law No. 881-2006	To amend former City of Scarborough Sullivan Community Zoning By-law No. 10717, as amended, with respect to lands municipally known as 2969 Sheppard Avenue East.
Bill No. 877	By-law No. 882-2006	To amend the former City of Scarborough Birchmount Park Community Zoning By-law No. 9174, as amended with respect to lands municipally known as 554 and 556 Danforth Road and 64 North Woodrow Boulevard.
Bill No. 878	By-law No. 883-2006	To authorize the entering into of an agreement for the provision of a municipal capital facility at 481 University Avenue.
Bill No. 879	By-law No. 884-2006	To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Rouge Employment District), as amended with respect to lands municipally known as 1265, 1275 and 1285 Morningside Avenue and 8130 Sheppard Avenue East.
Bill No. 880	By-law No. 885-2006	To adopt Amendment No. 18 to the Official Plan for the City of Toronto with respect to lands municipally known as 29-51 Florence Street.
Bill No. 881	By-law No. 886-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 29-51 Florence Street.
Bill No. 882	By-law No. 887-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Wilson Heights

		Boulevard.
Bill No. 883	By-law No. 888-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Shoreham Drive and The Pond Road.
Bill No. 884	By-law No. 889-2006	To amend By-law No. 31878, as amended, of the former City of North York, regarding Felbrigg Avenue.
Bill No. 885	By-law No. 890-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Cummer Avenue.
Bill No. 886	By-law No. 891-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Model Avenue.
Bill No. 887	By-law No. 892-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Dallimore Circle, David Dunlap Circle, Humphrey Gate and Jessie Drive.
Bill No. 888	By-law No. 893-2006	To amend By-law No. 31878, as amended, of the former City of North York, regarding Wigan Crescent.
Bill No. 889	By-law No. 894-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Wilson Heights Boulevard and Wilson Heights Boulevard Diversion Road.
Bill No. 890	By-law No. 895-2006	To amend By-law No. 31878, as amended, of the former City of North York, regarding York Downs Drive.
Bill No. 891	By-law No. 896-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Arrowstook Road.
Bill No. 892	By-law No. 897-2006	To amend By-law No. 31001 of the former City of North York,

		as amended, regarding Haddington Avenue.
Bill No. 893	By-law No. 898-2006	To amend By-law No. 31878, as amended, of the former City of North York, regarding Laurentia Crescent and Touraine Avenue.
Bill No. 894	By-law No. 899-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Goddard Street.
Bill No. 895	By-law No. 900-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Harlandale Avenue.
Bill No. 896	By-law No. 901-2006	To amend By-law No. 31878, as amended, of the former City of North York, regarding Elvaston Drive.
Bill No. 897	By-law No. 902-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Clairtrell Road.
Bill No. 898	By-law No. 903-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Seton Park Road, Wilket Creek Road and Windom Road.
Bill No. 899	By-law No. 904-2006	To designate the property at 5951 Steeles Avenue East (William Stonehouse House) as being of cultural heritage value or interest.
Bill No. 900	By-law No. 905-2006	To amend By-law No. 863-2005 to extend the period of interim control for the lands shown on Schedule "1" to this By-law being the portion of the Castlefield Caledonia Design and Décor District located in the former City of York.
Bill No. 901	By-law No. 906-2006	To amend By-law No. 862-2005 to extend the period of interim control for

		the lands shown on Schedule “1” to this By-law being the portion of the Castlefield Caledonia Design and Décor District located in the former City of North York.
Bill No. 902	By-law No. 907-2006	To amend the General Zoning By-law No. 438-86 for the former City of Toronto with respect to lands municipally known as 204 Bloor Street West.
Bill No. 903	By-law No. 908-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Birmingham Street.
Bill No. 904	By-law No. 909-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Widdicombe Hill Boulevard.
Bill No. 905	By-law No. 910-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Twelfth Street and Morrison Street.
Bill No. 906	By-law No. 911-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Ormont Drive.
Bill No. 907	By-law No. 912-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Airview Road.
Bill No. 908	By-law No. 913-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The East Mall.
Bill No. 909	By-law No. 914-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding Acorn Avenue.

Bill No. 910	By-law No. 915-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding the Bloor Street and Islington Avenue Area.
Bill No. 911	By-law No. 916-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding various streets.
Bill No. 912	By-law No. 917-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding Stanley Avenue.
Bill No. 913	By-law No. 918-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding Saskatoon Drive.
Bill No. 914	By-law No. 919-2006	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Brown's Line.
Bill No. 915	By-law No. 920-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1359 Dupont Street.
Bill No. 916	By-law No. 921-2006	To adopt Amendment No. 2 of the Official Plan of the City of Toronto with respect to lands within the King-Spadina Secondary Plan (Section 16, Chapter 6).
Bill No. 917	By-law No. 922-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to those lands within the King-Spadina Secondary Plan Area generally bounded by Queen Street West, Front Street West, Bathurst Street, Simcoe Street and John Street.

Bill No. 918	By-law No. 923-2006	To amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), to amend records series, to adopt new record retention schedules, to permit the destruction of unusable records and to update the Director's title.
Bill No. 919	By-law No. 924-2006	To repeal provisions in the former municipalities' records retention by-laws to reflect the addition of new records series to the records retention schedule in City of Toronto Municipal Code Chapter 217, Records, Corporate (City).
Bill No. 920	By-law No. 925-2006	To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 16, 18, 20 and 22 Clairtrell Road.
Bill No. 921	By-law No. 926-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Blackthorn Avenue and Nairn Avenue.
Bill No. 922	By-law No. 927-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bartlett Avenue, Brock Avenue, Coxwell Avenue, Ellsworth Avenue, Glen Manor Drive, Morton Road, Thorburn Avenue and Wolfrey Avenue.
Bill No. 923	By-law No. 928-2006	To amend By-law No. 31878, as amended, of the former City of North York, regarding Alladin Avenue, Azrock Road, Becket Avenue, Berryton Avenue, Bourdon Avenue, Burr Avenue, Fleetwood Avenue, Lawnside Drive, Liscombe Road, Maidstone Street, Mangrove Road, Maple Leaf Drive, Queens Drive, Raven Road, Seabrook Avenue, Stella Street, Veerland Drive and Venice

		Drive.
Bill No. 924	By-law No. 929-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Blackstone Street and Marshlynn Avenue.
Bill No. 925	By-law No. 930-2006	To amend By-law No. 31878, as amended, of the former City of North York, regarding Dalbeattie Avenue, Deerhurst Avenue, Farnsworth Drive, Lamont Avenue, Langside Avenue, Portage Avenue, Ranwood Avenue and Walwyn Avenue.
Bill No. 926	By-law No. 931-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Columbine Avenue.
Bill No. 927	By-law No. 932-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Unsworth Avenue.
Bill No. 928	By-law No. 933-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hanna Avenue and Snooker Street.
Bill No. 929	By-law No. 934-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Eglinton Avenue West.
Bill No. 930	By-law No. 935-2006	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads, regarding University Avenue.
Bill No. 931	By-law No. 936-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Kingston Road.
Bill No. 932	By-law No. 937-2006	To amend further By-law No. 117-79, a

		by-law “To establish school bus loading zones on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Durant Avenue.
Bill No. 933	By-law No. 938-2006	To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Durant Avenue.
Bill No. 934	By-law No. 939-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic former Metropolitan Roads, regarding St. Clair Avenue West and Scarlett Road.
Bill No. 935	By-law No. 940-2006	To City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Isabella Street.
Bill No. 936	By-law No. 941-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bay Street, Isabella Street, Macpherson Avenue and Sudbury Street.
Bill No. 937	By-law No. 942-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Sheppard Avenue West and Steeles Avenue West.
Bill No. 938	By-law No. 943-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Yonge Street.
Bill No. 939	By-law No. 944-2006	To amend the former City of Toronto Municipal Code Ch. 400 Traffic and Parking, with respect to speed control zones.

Bill No. 940	By-law No. 945-2006	To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, respecting Cameron Crescent and Donegall Drive.
Bill No. 941	By-law No. 946-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Frankish Avenue, Hilltop Road and Queens Quay West.
Bill No. 942	By-law No. 947-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Westmoreland Avenue.
Bill No. 943	By-law No. 948-2006	To amend further By-law No. 34-93, a by-law “To provide for disabled person parking permit holders”, being a by-law of the former Borough of East York, respecting King Edward Avenue.
Bill No. 944	By-law No. 949-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bloor Street West.
Bill No. 945	By-law No. 950-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Davenport Road and Dupont Street.
Bill No. 946	By-law No. 951-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Adelaide Street West.
Bill No. 947	By-law No. 952-2006	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads, respecting Lake Shore Boulevard East and Lake Shore Boulevard West.
Bill No. 948	By-law No. 953-2006	To amend further Metropolitan By-law

		No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads, respecting Harbour Street, Lake Shore Boulevard East and Lake Shore Boulevard West.
Bill No. 949	By-law No. 954-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, respecting Oxton Avenue at Oriole Parkway.
Bill No. 950	By-law No. 955-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bremner Boulevard.
Bill No. 951	By-law No. 956-2006	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Grenville Street.
Bill No. 952	By-law No. 957-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Simcoe Street and Wellington Street West.
Bill No. 953	By-law No. 958-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Blue Jays Way, east/west public laneway at Dermott Place, Miles Place, north/south public laneway at Jersey Avenue.
Bill No. 954	By-law No. 959-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Mill Street.
Bill No. 955	By-law No. 960-2006	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Mill Street.
Bill No. 956	By-law No. 961-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads,

		respecting Pape Avenue.
Bill No. 957	By-law No. 962-2006	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Dovercourt Road.
Bill No. 958	By-law No. 963-2006	To amend Chapters 320 and 324 of the former City of Etobicoke Zoning Code, as amended, and By-law No. 1088-2002, with respect to lands municipally known as 2 Fieldway Road.
Bill No. 959	By-law No. 964-2006	To amend City of Toronto Municipal Code Chapter 591, Noise, and Chapter 545, Licensing, respecting amplified sound and to correct a technical error in the lettering size for signs relating to construction noise.
Bill No. 960	By-law No. 965-2006	To amend Chapter 324 of the Etobicoke Zoning Code and to lift the Holding 'H' provisions on lands located within the Humber Bay Shore Development Area (formerly the Motel Strip), municipally known as 2077 Lake Shore Boulevard West (Etobicoke).
Bill No. 961	By-law No. 966-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Dovercourt Road and Shaw Street.
Bill No. 962	By-law No. 967-2006	To repeal former City of Toronto By-law No. 20663 as it pertains to certain lands adjoining 1900 Bayview Avenue.
Bill No. 963	By-law No. 968-2006	To amend Municipal Code Chapter 223, Remuneration for Council Members, to provide for term and annual adjustments.

Bill No. 964	By-law No. 969-2006	To amend further Metropolitan By-law No. 108-86 designating certain locations on former Metropolitan Roads as Pedestrian Crossovers, regarding Albion Road.
Bill No. 965	By-law No. 970-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to driveway width dimensions and landscaping.
Bill No. 966	By-law No. 971-2006	To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 967	By-law No. 972-2006	To amend former City of York Zoning By-law No. 1-83, as amended, and By-law No. 3623-97, with respect to driveway width dimensions and landscaping.
Bill No. 968	By-law No. 973-2006	To amend the former City of Etobicoke Municipal Code Chapters 320, 330, 340 and 350, with respect to driveway width dimensions and landscaping.
Bill No. 969	By-law No. 974-2006	To amend By-laws Nos. 1916 and 6752 for the former Borough of East York with respect to driveway width dimensions and landscaping.
Bill No. 970	By-law No. 975-2006	To amend the former City of Scarborough Zoning By-law No. 8786, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 971	By-law No. 976-2006	To amend the former City of Scarborough Zoning By-law No. 8978, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 972	By-law No. 977-2006	To amend the former City of Scarborough Zoning By-law No. 9089, as amended, with respect to driveway

		width dimensions and landscaping.
Bill No. 973	By-law No. 978-2006	To amend the former City of Scarborough Zoning By-law No. 9174, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 974	By-law No. 979-2006	To amend the former City of Scarborough Zoning By-law No. 9276, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 975	By-law No. 980-2006	To amend the former City of Scarborough Zoning By-law No. 9350, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 976	By-law No. 981-2006	To amend the former City of Scarborough Zoning By-law No. 9364, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 977	By-law No. 982-2006	To amend the former City of Scarborough Zoning By-law No. 9366, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 978	By-law No. 983-2006	To amend the former City of Scarborough Zoning By-law No. 9396, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 979	By-law No. 984-2006	To amend the former City of Scarborough Zoning By-law No. 9508, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 980	By-law No. 985-2006	To amend the former City of Scarborough Zoning By-law No. 9510, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 981	By-law No. 986-2006	To amend the former City of Scarborough Zoning By-law No. 9511, as amended, with respect to driveway width dimensions and landscaping.

Bill No. 982	By-law No. 987-2006	To amend the former City of Scarborough Zoning By-law No. 9676, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 983	By-law No. 988-2006	To amend the former City of Scarborough Zoning By-law No. 9812, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 984	By-law No. 989-2006	To amend the former City of Scarborough Zoning By-law No. 10010, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 985	By-law No. 990-2006	To amend the former City of Scarborough Zoning By-law No. 10048, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 986	By-law No. 991-2006	To amend the former City of Scarborough Zoning By-law No. 10076, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 987	By-law No. 992-2006	To amend the former City of Scarborough Zoning By-law No. 10327, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 988	By-law No. 993-2006	To amend the former City of Scarborough Zoning By-law No. 10717, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 989	By-law No. 994-2006	To amend the former City of Scarborough Zoning By-law No. 10827, as amended, with respect to driveway width dimensions and landscaping.

Bill No. 990	By-law No. 995-2006	To amend the former City of Scarborough Zoning By-law No. 11883, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 991	By-law No. 996-2006	To amend the former City of Scarborough Zoning By-law No. 12077, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 992	By-law No. 997-2006	To amend the former City of Scarborough Zoning By-law No. 12181, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 993	By-law No. 998-2006	To amend the former City of Scarborough Zoning By-law No. 12360, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 994	By-law No. 999-2006	To amend the former City of Scarborough Zoning By-law No. 12466, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 995	By-law No. 1000-2006	To amend the former City of Scarborough Zoning By-law No. 12797, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 996	By-law No. 1001-2006	To amend the former City of Scarborough Zoning By-law No. 14402, as amended, with respect to driveway width dimensions and landscaping.

Bill No. 997	By-law No. 1002-2006	To amend the former City of Scarborough Zoning By-law No. 15907, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 998	By-law No. 1003-2006	To amend the former City of Scarborough Zoning By-law No. 16762, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 999	By-law No. 1004-2006	To amend the former City of Scarborough Zoning By-law No. 17677, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 1000	By-law No. 1005-2006	To amend the former City of Scarborough Zoning By-law No. 24982, as amended, with respect to driveway width dimensions and landscaping.
Bill No. 1001	By-law No. 1006-2006	To amend the former City of Scarborough Morningside Heights Community Zoning By-law (O.M.B. Decision/Order No. 1834), as amended, with respect to driveway width dimensions and landscaping.
Bill No. 1002	By-law No. 1007-2006	To amend By-law No. 842-2004, as amended, Midland/St. Clair Community, with respect to driveway width dimensions and landscaping.
Bill No. 1003	By-law No. 1008-2006	To amend By-law No. 950-2005, as amended, Warden Woods Community with respect to driveway width dimensions and landscaping.

Bill No. 1004	By-law No. 1009-2006	To amend Municipal Code Ch. 363, Building Construction and Demolition, to enact a harmonized demolition control by-law under s. 33 of the <i>Planning Act</i> , to authorize the Chief Building Official to issue certain residential demolition permits and to repeal demolition control by-laws applicable to the former municipalities.
Bill No. 1005	By-law No. 1010-2006	To amend By-law No. 31001 of the former City of North York, as amended, regarding Chesswood Drive.
Bill No. 1006	By-law No. 1011-2006	To amend By-law No. 1129-87 of the former City of York, being a By-law “To prescribe a speed limit of 40 kilometres per hour”, on Boyd Avenue, Lamont Avenue, Patika Avenue, Portage Avenue, Robert Street, Springmount Avenue and Wadsworth Boulevard.
Bill No. 1007	By-law No. 1012-2006	To amend By-law No. 1129-87 of the former City of York, being a By-law “To prescribe a speed limit of 40 kilometres per hour”, on Roselawn Avenue.
Bill No. 1008	By-law No. 1013-2006	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Cloverlawn Avenue, Coates Avenue, Conway Avenue, Earnscliffe Road, Falwyn Avenue, Glenhurst Avenue, Holland Park Avenue, McRoberts Avenue, Millerson Avenue, Robina Avenue and Rosecliffe Avenue.
Bill No. 1009	By-law No. 1014-2006	To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Cloverlawn Avenue, Coates Avenue, Conway Avenue,

		Earncliffe Road, Falwyn Avenue, Glenhurst Avenue, Holland Park Avenue, McRoberts Avenue, Millerson Avenue, Robina Avenue and Rosecliffe Avenue.
Bill No. 1010	By-law No. 1015-2006	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Chudleigh Road.
Bill No. 1011	By-law No. 1016-2006	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Chudleigh Road.
Bill No. 1012	By-law No. 1017-2006	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Hollis Street.
Bill No. 1013	By-law No. 1018-2006	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Hollis Street.
Bill No. 1014	By-law No. 1019-2006	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Roselawn Avenue.
Bill No. 1015	By-law No. 1020-2006	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Roselawn Avenue.
Bill No. 1016	By-law No. 1021-2006	To amend former City of York Municipal Code Ch. 993, Pedestrian Crossovers, respecting Vaughan Road.
Bill No. 1017	By-law No. 1022-2006	To authorize the entering into of an agreement for the provision of a municipal capital facility at 1571 Sandhurst Circle, the Woodside Square Branch Library.
Bill No. 1018	By-law No. 1023-2006	To establish the Lakeshore Lions

		Arena Reserve Fund and to amend Municipal Code Chapter 227, Reserves and Reserve Funds, to add this reserve fund.
Bill No. 1019	By-law No. 1024-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Leslie Street and Sheppard Avenue East.
Bill No. 1020	By-law No. 1025-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Coolmine Road, Mackenzie Crescent and Yarmouth Gardens.
Bill No. 1021	By-law No. 1026-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bay Street.
Bill No. 1022	By-law No. 1027-2006	A By-law establishing Community Improvement Plan Project Area-East Bayfront, West Don Lands, Port Lands and south of Eastern Avenue.
Bill No. 1023	By-law No. 1028-2006	To adopt Amendment No. 168 to the Official Plan for the former City of York with respect to lands municipally known as 1120 and 1130-1132 Weston Road.
Bill No. 1024	By-law No. 1029-2006	To amend former City of York Zoning By-law No. 1-83, as amended, with respect to lands municipally known as 1120 and 1130-1132 Weston Road.
Bill No. 1025	By-law No. 1030-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Jordan Street and Melinda Street.

Bill No. 1026	By-law No. 1031-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, respecting Yonge Street.
Bill No. 1027	By-law No. 1032-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Jordan Street, Melinda Street.
Bill No. 1028	By-law No. 1033-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting High Park Avenue.
Bill No. 1029	By-law No. 1034-2006	To exempt certain lands known municipally 112-126 Kingston Road, 2110 Dundas Street East and Part of 15 and 17 Edgewood Avenue from Part Lot Control.
Bill No. 1030	By-law No. 1035-2006	To adopt Amendment No. 9 to the Official Plan for the City of Toronto with respect to 4588 and 4600 Bathurst Street and adjacent lands to the north.
Bill No. 1031	By-law No. 1036-2006	To amend former City of North York Zoning By-law No. 7625 with respect to lands municipally known as 4588 and 4600 Bathurst Street and adjacent lands to the north.
Bill No. 1032	By-law No. 1037-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Ascot Avenue, Ashburnham Road, Auburn Avenue, Burlington Crescent, Goodwood Avenue, Greenlaw Avenue, Highview Crescent, McFarland Avenue, Mount Royal Avenue, Norton Avenue, Regal Road, Thome Crescent and Via Italia.
Bill No. 1033	By-law No. 1038-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Braemar Avenue.
Bill No. 1034	By-law No. 1039-2006	To amend the former City of Toronto

		Municipal Code Ch. 400, Traffic and Parking, respecting John Street.
Bill No. 1035	By-law No. 1040-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Stewart Street.
Bill No. 1036	By-law No. 1041-2006	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting parking machines on regarding Stewart Street.
Bill No. 1037	By-law No. 1042-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Close Avenue, Coady Avenue, Collahie Street, Duart Park Road, Fermanagh Avenue, Galley Avenue, Herrick Street, Lowther Avenue, Macdonnell Avenue, Peel Avenue, Runnymede Road, Souraren Avenue and Wales Avenue.
Bill No. 1038	By-law No. 1043-2006	To amend City of Toronto Municipal Code Chapter 103, Heritage, Article VII, Heritage Property Tax Rebate Program to amend the application procedure and to make consequential amendments to Municipal Code Chapter 441, Fees, to impose application fees.
Bill No. 1039	By-law No. 1044-2006	To amend former City of Toronto By-law No. 258-71 respecting certain lands south of Howard Street, between Sherbourne and Bleecker Streets.
Bill No. 1040	By-law No. 1045-2006	To amend City of Toronto Municipal Code Chapter 27, Council Procedures, to replace it with a new Procedures By-law and to implement the new Governance Structure.

Bill No. 1041	By-law No. 1046-2006	To designate certain lands known as 2 and 4 Dale Avenue as a Site Plan Control Area.
Bill No. 1042	By-law No. 1047-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Close Avenue, Coady Avenue, Collahie Street, Duart Park Road, Fermanagh Avenue, Galley Avenue, Herrick Street, Lowther Avenue, Macdonnell Avenue, Peel, Runnymede Road, Sorauren Avenue and Wales Avenue.
Bill No. 1043	By-law No. 1048-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wales Avenue.
Bill No. 1044	By-law No. 1049-2006	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the East Bayfront – West Precinct.
Bill No. 1045	By-law No. 1050-2006	To adopt Amendment No. 15 to the Official Plan for the City of Toronto with respect to lands municipally known as 6 Aldgate Avenue.
Bill No. 1046	By-law No. 1051-2006	To amend the Etobicoke Zoning Code, as amended, with respect to the lands municipally known as 6 Aldgate Avenue.
Bill No. 1047	By-law No. 1052-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Alberta Avenue, Geary Avenue, Rosemount Avenue and Via Italia.
Bill No. 1048	By-law No. 1053-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hillingdon Avenue.

Bill No. 1049	By-law No. 1054-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, respecting Weston Road.
Bill No. 1050	By-law No. 1055-2006	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads, regarding Leslie Street and Sheppard Avenue East and West.
Bill No. 1051	By-law No. 1056-2006	To amend City of Toronto Municipal Code Chapter 441, Fees and to adopt a new City of Toronto Municipal Code Chapter 442, Fees and Charges, Administration of, respecting the adoption of a General Fees and Charges By-law.
Bill No. 1052	By-law No. 1057-2006	To exempt certain lands municipally known as 300 New Toronto Street from Part Lot Control.
Bill No. 1053	By-law No. 1058-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wales Avenue.
Bill No. 1054	By-law No. 1059-2006	To amend By-law No. 3491-80 of the former City of York, being a By-law "To provide for night-time parking of motor vehicles on Borough of York Roads", regarding Belvidere Avenue.
Bill No. 1055	By-law No. 1060-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Pape Avenue.
Bill No. 1056	By-law No. 1061-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Mackenzie Crescent.

Bill No. 1057	By-law No. 1062-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Unsworth Avenue.
Bill No. 1058	By-law No. 1063-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hillingdon Avenue.
Bill No. 1059	By-law No. 1064-2006	To amend By-law No. 3491-80 of the former City of York, being a By-law “To provide for night-time parking of motor vehicles on Borough of York Roads”, regarding Hollis Street.
Bill No. 1060	By-law No. 1065-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Coolmine Road.
Bill No. 1061	By-law No. 1066-2006	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Yarmouth Gardens.
Bill No. 1062	By-law No. 1067-2006	To amend City of Toronto Municipal Code Chapter 925, Permit Parking, to provide for a Harmonized Residential On-Street Permit Parking By-law.
Bill No. 1063	By-law No. 1068-2006	To adopt Amendment No. 14 to the Official Plan for the City of Toronto with respect to lands municipally known as Lot 35, Westmore Drive.
Bill No. 1064	By-law No. 1069-2006	To adopt Amendment No. 11 to the Official Plan with respect to lands municipally known as 1553 and 1561 The Queensway and 80 Fordhouse Boulevard.
Bill No. 1065	By-law No. 1070-2006	To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the south side of The Queensway, west of Kipling Avenue, municipally known as 1553 and 1561 The Queensway and 80 Fordhouse Boulevard.

Bill No. 1066	By-law No. 1071-2006	To amend City of Toronto Municipal Code Chapter 880, Fire Routes, to designate fire routes.
Bill No. 1067	By-law No. 1072-2006	To adopt Amendment No. 10 to the Official Plan of the City of Toronto with respect to the Railway Lands West Secondary Plan.
Bill No. 1068	By-law No. 1073-2006	To amend By-law No. 1994-0805 of the former City of Toronto with respect to lands in the Railway Lands West known as Blocks 32 and 36.
Bill No. 1069	By-law No. 1074-2006	To appoint a member of City Council to the Toronto Transit Commission,

the vote upon which was taken as follows:

Yes - 32	
Mayor:	Miller
Councillors:	Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Shiner, Silva, Stintz, Walker, Watson
No - 1	
Councillors:	Minnan-Wong

Carried by a majority of 31.

12.182 On September 27, 2006, at 7:29 p.m., Councillor De Baeremaeker, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 820	By-law No. 1075-2006	To repeal By-law No. 78-97 of the former Municipality of Metropolitan Toronto,
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the vote upon which was taken as follows:

Yes - 32 Mayor: Miller Councillors: Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Shiner, Silva, Stintz, Walker, Watson
No - 1 Councillors: Minnan-Wong

Carried, more than two-thirds of Members present having voted in the affirmative.

12.183 On September 27, 2006, at 7:30 p.m., Deputy Mayor Pantalone, seconded by Councillor Di Giorgio, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 1072	By-law No. 1076-2006	To confirm the proceedings of the Council at its meeting held on the 25th, 26th and 27th days of September, 2006,
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the vote upon which was taken as follows:

Yes - 32 Mayor: Miller Councillors: Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Shiner, Silva, Stintz, Walker, Watson
No - 1 Councillors: Minnan-Wong

Carried by a majority of 31.

The following Bills were withdrawn at the meeting of City Council on September 25, 26 and 27, 2006:

Bill No. 754	To amend City of Toronto Municipal Code Chapter 441, Fees, respecting Planning application fees.
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		No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads, respecting Rexdale Boulevard.
Bill No. 1078	By-law No. 1084-2006	To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Heath Street and Heath Street East, Research Road and Thyra Avenue.
Bill No. 1079	By-law No. 1085-2006	To amend further Metropolitan By-law No. 107-86, respecting parking meters on former Metropolitan Roads, regarding Bloor Street West and Spadina Road.
Bill No. 1080	By-law No. 1086-2006	To repeal City of Toronto By-law No. 832-2006, with respect to lands municipally known as 317-319 Lonsdale Road.
Bill No. 1081	By-law No. 1087-2006	To repeal City of Toronto By-law No. 1050-2006, a by-law to amend the Official Plan, with respect to lands municipally known as 6 Aldgate Avenue.
Bill No. 1082	By-law No. 1088-2006	To repeal City of Toronto By-law No. 1051-2006, a by-law to amend the Etobicoke zoning code, respecting the lands municipally known as 6 Aldgate Avenue.
Bill No. 1083	By-law No. 1089-2006	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding various streets.

Bill No. 1084	By-law No. 1090-2006	To amend further the Pedestrian Crossover By-law No. 23506 of the former City of Scarborough, on Toronto Roads, respecting Birchmount Road.
Bill No. 1085	By-law No. 1091-2006	To adopt an amendment No. 15 to the Official Plan for the City of Toronto with respect to lands municipally known as 6 Aldgate Avenue.
Bill No. 1086	By-law No. 1092-2006	To amend the Etobicoke Zoning Code, as amended, with respect to the lands municipally known as 6 Aldgate Avenue.
Bill No. 1087	By-law No. 1093-2006	To repeal City of Toronto By-law No. 1047-2006 a by-law to amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Close Avenue, Coady Avenue, Collahie Street, Duart Park Road, Fermanagh Avenue, Galley Avenue, Herrick Street, Lowther Avenue, Macdonnell Avenue, Peel, Runnymede Road, Souraren Avenue and Wales Avenue.
Bill No. 1088	By-law No. 1094-2006	To amend By-law No. 30518, as amended, of the former City of North York, regarding Fenmar Drive.
Bill No. 1089	By-law No. 1095-2006	To adopt Amendment No. 145-2006 of the former City of Etobicoke Official Plan with respect to the lands known as 829, 833, 839 Oxford Street and 156 and 160 Evans Avenue.
Bill No. 1090	By-law No. 1096-2006	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located between Oxford Street and Evans Avenue, east of Islington Avenue, municipally known as 829, 833 and 839 Oxford Street and 156 and 160 Evans Avenue.

12.185 On September 28, 2006, at 10:17 p.m., Councillor Del Grande, seconded by Councillor Kelly, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 1091	By-law No. 1097-2006	To confirm the proceedings of the Council at its Special meeting held on the 28th day of September, 2006,
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the vote upon which was taken as follows:

Yes - 28 Councillors:	Ainslie, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Holyday, McConnell, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Shiner, Silva, Soknacki, Walker, Watson
No - 1 Councillor:	Kelly

Carried by a majority of 27.

The following Bill was withdrawn at the meeting of City Council on September 28, 2006:

Bill No. 875	To adopt Amendment No. 578 to the Official Plan for the former City of North York with respect to lands municipally known as 1465 Lawrence Avenue West.
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OFFICIAL RECOGNITIONS:

12.186 Condolence Motions

September 25, 2006:

Mayor Miller in the Chair.

Councillor Cowbourne, seconded by Mayor Miller, moved that:

“WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Kenneth Lorne Richard Morrish, at the age of 87 years, on Sunday, July 30, 2006; and

WHEREAS Ken Morrish was first elected to political office in 1967 and served the residents of Highland Creek and Scarborough, as Alderman, as Senior Controller, as

Deputy Mayor, and as Mayor in 1976. He was elected to Metro Council in 1994, and served as Deputy Metro Chairman until 1997. He served on the Metro Council Executive Committee and had a reputation as a tough Budget Chief. He also chaired the Works Committee, and in 1980 he advocated for a subway to serve the eastern area of the City; and

WHEREAS during World War II, Mr. Morrish served as a Flight Lieutenant in the Royal Canadian Air Force, from 1942 to 1945; and

WHEREAS Ken Morrish was descended from pioneer settlers who had extensive land holdings in the Scarborough area. Upon the untimely death of his Father, William John Morrish, in 1937, Ken, at the age of 18, along with his mother, Una, ran the Morrish family's general store in Highland Creek. He was a very successful businessman and, as well as managing the family store, he ran a building supply business and developed land holdings, including the Highland Creek Village Plaza near Morrish and Kingston Roads. He was well loved and respected by the surrounding community and will be fondly remembered as a steadfastly honest man of his word, who treated everyone equally. In the local community he became known as 'Mr. Highland Creek'; and

WHEREAS Mr. Morrish was a dedicated husband, father and family man, who was married to his late wife Shirley for 57 years. He was committed to his family, to his neighbourhood and to his City and he leaves a lasting legacy of generous acts and improvements in Highland Creek, Scarborough and Toronto;

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

Deputy Mayor Pantalone, seconded by Mayor Miller, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Leonard Charles Cullen on August 15, 2006, at the age of 81 years; and

WHEREAS Mr. Cullen was a lifelong resident and naturalist in the GTA; and

WHEREAS Mr. Cullen contributed to the environmental, economic, and esthetic health of the GTA through his enterprises Weall and Cullen Garden Centres, Greendale Garden Products and Cullen Country Barns; and

WHEREAS Mr. Cullen gave back to his community through his exquisite landscape designs at what would become Edward's Gardens in Toronto, as well as the beautiful Cullen Gardens and Miniature Village in Whitby; and

WHEREAS Mr. Cullen's legacy in Toronto continues through his children, especially his son Mark, who hosts a weekly nature program on CFRB and is a board member of the Toronto Parks and Trees Foundation;

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 Connie, children Susan, Peter, Mark, Nora and Tom, his eleven grandchildren and three great-grandchildren."

Councillor Fletcher, seconded by Councillor Davis, moved that:

“WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. John Gilbert, a respected friend of the City of Toronto; and

WHEREAS Mr. Gilbert was an esteemed and productive citizen of Toronto who, after being elected in 1965, spent thirteen years serving the citizens of Riverdale in the former riding of Broadview Greenwood as MP for the NDP; and

WHEREAS Mr. Gilbert worked tirelessly alongside Tommy Douglas and Ed Broadbent to bring about change in his community and country. He believed that the purpose of having a government was to defend the rights and the dignity of people from every social station, and to ensure that nobody had to go without the basic necessities of life; and

WHEREAS Mr. Gilbert will be remembered in the hearts of those in the Toronto community for his hard work and dedication over the past years, and he will also be remembered by his friends, neighbours and colleagues who had the great pleasure to know and work with him;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of Toronto City Council, our sincere sympathy to Mr. Gilbert's family, dear friends, and the many people he touched during his lifetime."

Mayor Miller, seconded by Councillor Mihevc, moved that:

“WHEREAS the Mayor and Members of Toronto City Council are saddened to learn of the passing of City employee Kerry Giallombardo, at work on September 8, 2006, at the age of 32; and

WHEREAS Kerry Giallombardo worked for City of Toronto Hostel Services for 15 years, working in both administration and front-line service in Hostels Head Office, Robertson House, Women's Residence, Birkdale Residence and in Emergency Planning; and

WHEREAS Ms. Giallombardo lived each day with joy and enthusiasm; and

WHEREAS her infectious smile and concern for others was an inspiration for those who worked with her; and

WHEREAS Kerry was a valued employee and will be greatly missed by all her colleagues at the City;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to her husband Matteo and son Braydon, her parents Elma and Emerson, and her sister Kimberly.”

Councillor Jenkins, seconded by Councillor Di Giorgio, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Ruth Johnson on Thursday, July 27, 2006; and

WHEREAS Ruth Johnson will be remembered as a pioneer advocate for the environment through her many radio and television appearances to promote recycling; and

WHEREAS she delighted school children with her rap music message, called the ‘Blue Box Rap’, long before rap music became popular; and

WHEREAS Ruth was featured in a video to promote the new ‘poop and scoop’ by-law that was considered a radical initiative at the time; and

WHEREAS in the ‘early days’, the family garage was used as a neighbourhood paper depot. Ruth and her husband used to transport all the collected newspapers to a City depot near Bathurst Street and Lawrence Avenue; and

WHEREAS she authored two popular books: ‘What to do till the Garbage Man Arrives: A Miser’s Craft Manual’, and the ‘Creative Cook’s Recycling Book’; and

WHEREAS Ruth Johnson was the founding Chair and 20-year member of North York’s Environment Committee, and she was known in North York as ‘Mrs. Environment’; and

WHEREAS in recognition of her work, Ruth received the Volunteer Award for Environment, City of North York, and the Trillium Award for Environmental Activism from the Province of Ontario; and

WHEREAS she will be sorely missed by her loving family and many friends and admirers in the community;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to her husband David, daughter Jennifer, and sons John and the twins Bruce and Bud.”

Councillor Rae, seconded by Mayor Miller, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Dr. Edward Kamski; and

WHEREAS Dr. Kamski was a leader in the medical community in the fight against HIV/AIDS; and

WHEREAS at the time of Dr. Kamski starting his Toronto medical practice, HIV/AIDS was a new disease and few medical professionals were offering treatment; and

WHEREAS Dr. Kamski was a member of the Primary Care Physicians Group of AIDS doctors who met to inform themselves and educate others about this pandemic; and

WHEREAS Dr. Kamski was a major donor and a supporter of Toronto’s new opera house and a true Patron of the Arts;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to the family of Dr. Edward Kamski.”

Councillor Mammoliti, seconded by Deputy Mayor Feldman, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Carmine Stefano, on Sunday, August 6, 2006; and

WHEREAS Carmine Stefano exemplified excellence and achievement in his advocacy and dedication to youth in our City; and

WHEREAS Carmine Stefano was the President of both the Weston Soccer Club and the Catholic Soccer League; and

WHEREAS Carmine Stefano spent most of his time and efforts leading youth to reach their full potential in a positive and supportive environment, through the sport of soccer; and

WHEREAS Carmine Stefano embodied sportsmanship, responsibility and respect in the mandate of the soccer organizations; and

WHEREAS Carmine Stefano was a community leader who has left a legacy in York West;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his wife Pina, his children Marco and Michael, and all surviving members of the Stefano family.”

Leave to introduce the Motions was granted and the Motions carried unanimously.

Council rose and observed a moment of silence in memory of the late Kenneth Lorne Richard Morrish, Leonard Charles Cullen, John Gilbert, Kerry Giallombardo, Ruth Johnson, Dr. Edward Kamski and Carmine Stefano.

September 26, 2006:

Mayor Miller, seconded by Councillor Holyday, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Douglas B. Ford, beloved father of Councillor Rob Ford, on Friday, September 22, 2006, at the age of 73; and

WHEREAS Mr. Ford, a long-time Etobicoke resident, represented the Etobicoke-Humber riding as a Progressive Conservative member of the Legislative Assembly of Ontario, from 1995 until 1999; and

WHEREAS, prior to his political career, Mr. Ford was a successful, self-made businessman, having founded Deco Labels and Tags in 1962, an ISO 9001 Certified firm in Etobicoke employing over 100 people; and

WHEREAS Mr. Ford’s extensive community involvement included serving as a long-time Board Member of the Etobicoke General Hospital as Executive Committee Member and Fund-Raising Chairman, and he was instrumental in organizing the drive to purchase their first CAT Scan. In addition, he was involved with the Salvation Army Red Shield Campaign and Big Brothers of Toronto. He was also an active member of the Rotary Club for 38 years and was honoured by being designated a Paul Harris Fellow; and

WHEREAS Mr. Ford will be greatly missed and fondly remembered by his family, including his wife, Diane, sons, Randy, Doug Jr. and Rob, daughter, Kathy, three

daughters-in-law and eight grandchildren, and his former colleagues and many friends;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to Mr. Ford's family."

Leave to introduce the Motion was granted and the Motion carried unanimously.

Council rose and observed a moment of silence in memory of the late Douglas B. Ford.

12.187 **Presentations/Introductions/Announcements:**

September 25, 2006:

Mayor Miller, during the morning session of the meeting, introduced members of the South Asian Seniors Club of Rexdale, and the Humberwood South Asian Seniors Club, present at the meeting.

Councillor Pitfield, during the afternoon session of the meeting, with the permission of Council, advised Council that at the Special meeting of Council on September 19, 2006, the vote taken with respect to the Request for Proposal (RFP) 6033-06-3218 for Contingency Waste Disposal Capacity, and Long-Term Waste Disposal Capacity, did not properly reflect her intention, nor her speech on the matter. She requested that these remarks be noted in the Minutes of this meeting, and Council agreed to her request.

Mayor Miller, during the afternoon session of the meeting, addressed Council with respect to the 16th Annual AIDS Conference which was held in Toronto from August 13-18, 2006. He advised that the Conference had been a resounding success, and showed video highlights of various events. He thanked the staff and volunteers of the Toronto Local Host Secretariat, and in particular, Darryl Perry, Executive Director of the Secretariat. Mayor Miller presented Mr. Perry with a plaque in appreciation for his leadership and commitment. Mr. Perry addressed Council and thanked Members of Council, City staff and his colleagues for the important role they played in making the Conference such a success.

September 26, 2006:

Mayor Miller, during the morning session of the meeting, welcomed sponsors of the Tree Advocacy Planting Program to Council, and thanked them for their generous support of the Program. He called on Deputy Mayor Pantalone, the City's Tree Advocate, to highlight various statistics for the Planting Program, as well as the work underway to expand Toronto's urban forest. Mayor Miller and Deputy Mayor Pantalone presented the following sponsors with trees as a token of appreciation:

- Virginia Ludy, Canadian National Exhibition;

- Jeff Cornett, Direct Energy;
- Rob Fennell, Enbridge Gas Distribution;
- Geoff Hoy, HSBC Bank Canada;
- Blair Klayman, Loblaw Companies Limited;
- Joe Lombardi, Lomco Limited;
- Anthony Haines, Toronto Hydro Corporation;
- Ian Maher, Toronto Parking Authority;
- Nancy Ceneviva, Newstalk 1010, CFRB;
- David Gray, Creative Outdoor Advertising; and
- Steve De Nure, DECODE Entertainment.

Deputy Mayor Pantalone also recognized the following community partners for their exceptional work on the Program:

- Cathy Humphrey, on behalf of Friends of Highland Creek; and
- Mr. Dialan, on behalf of the Sri Sathya Baba Organization of Canada.

Deputy Mayor Feldman, during the morning session of the meeting, introduced students from St. Joseph's School, present at the meeting.

Mayor Miller, during the morning session of the meeting, honoured three City employees who risked their safety while assisting at a serious accident on Highway 427. Their actions have been recognized by the Canadian Decorations Advisory Committee, part of the Governor General's Office. The Mayor presented a Certificate of Commendation, on behalf of Her Excellency the Right Honourable Michaëlle Jean, to Craig Wilson, Robert Chudoba and Bruce Newton from Toronto Emergency Medical Services for their heroic efforts. Craig Wilson and Bruce Newton were present to accept their Certificates.

Mayor Miller, during the afternoon session of the meeting, advised Council that the City of Toronto is receiving a special award in recognition of the City's continued commitment to increasing safety in its workplaces. City staff, from various Divisions, have worked together to bring over 750 City of Toronto facilities under the Continuous Safety Services program. Mr. Scott Saint, Chief Corporate Officer and Vice President of the Electrical Safety Authority presented the award to the Deputy City Manager and Chief Financial Officer, Joe Pennachetti, the Chief Corporate Officer, Bruce Bowes, and to the Executive Director, Facilities and Real Estate, Chuck Donahue.

Mayor Miller, during the afternoon session of the meeting, introduced the Grade 10 students from the Eastern Commerce Collegiate Institute, present at the meeting.

September 27, 2006:

Mayor Miller, during the morning session of the meeting, addressed Council with respect to the 15th Annual Toronto Challenge held on June 11, 2006. The event was hosted by Toronto Homes for the Aged and involved 50 community partner agencies, raising funds in support of Toronto seniors. The Mayor thanked the lead event sponsor, MonsterMortgage.ca, for their leadership, generosity and support, and presented a scroll in appreciation to Diane Alvernez,

Director of Operations. The Mayor also recognized and presented plaques to Robert Peaker, the 25,000th participant to cross the finish line, and Ellie Munn, who represented the 75,000th kilometre travelled on behalf of all Challenge participants. Mayor Miller congratulated and thanked those at the Toronto Homes for the Aged who made the 2006 Toronto Challenge a great success.

Deputy Mayor Bussin, during the morning session of the meeting, introduced the Grade 5 students from Thorncliffe Park Public School.

Deputy Mayor Bussin, during the morning session of the meeting, introduced the Grade 12 students from Ernestown Secondary School in Odessa, Ontario.

Mayor Miller, during the afternoon session of the meeting, acknowledged the hard work of the Festival Management Committee (FMC) in ensuring the success of this year's Caribbean Carnival. Under the leadership of Joe Halstead, assisted by Toronto lawyer Courtney Betty, the Committee staged an incredible celebration. Mayor Miller thanked the hundreds of volunteers for their tireless efforts, and invited Councillor Mihevc, who worked with the Committee on behalf of Council, to the podium. Councillor Mihevc expressed his appreciation to Members of Council, City staff, and the Festival Management Committee for their support and dedication, and presented a plaque to Mr. Courtney Betty, Chair of the FMC.

Notice of Special Meeting:

Mayor Miller advised that a special meeting of City Council had been called for Thursday, September 28, 2006, in the Council Chamber, Toronto City Hall, at 9:30 a.m., for the following purposes:

- (1) to complete consideration of all unfinished business from the Council meeting on September 25, 26 and 27, 2006;
- (2) to introduce and enact General Bills; and
- (3) to introduce and enact a confirming by-law for this special meeting.

September 28, 2006:

Councillor Lindsay Luby, with the permission of Council, during the afternoon session of the meeting, announced that the City of Toronto's Economic Development section had won a Marketing Canada Award from the Economic Developers Association of Canada. The award was for the "Best Advertising Campaign" in the country for large cities and/or provinces. The "We Build this City" campaign acknowledged and thanked the business community for its role in building a City of unlimited business opportunities.

12.188 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of proceedings of Council:

September 25, 2006:

Mayor Miller in the Chair.

Mayor Miller, at 10:34 a.m., proposed that Council consider the following planning matters on Wednesday, September 27, 2006, at 9:30 a.m.:

- North York Community Council Report 7, Clause 37, headed “Supplementary Reports - Rezoning Application - 05 128488 NNY 24 OZ Daniels HR Corporation - Kirkor Architects & Planners, 603 605 Sheppard Avenue East & 9-17 Rean Drive & 6-10 Dervock Crescent (Ward 24 – Willowdale”;
- North York Community Council Report 7, Clause 78, headed “Request for Direction Report - Application to Amend the Official Plan and Zoning By-law - 04 190410 NNY 16 OZ - Site Plan Control Application - 05 200330 NNY 16 SA - 1705, 1717, 1719, 1743 and 1745 Avenue Road (Ward 16 – Eglinton-Lawrence)”;
- North York Community Council Report 7, Clause 90 Item (i), headed “Request for Direction Report – Official Plan Amendment and Rezoning Application – 05 105152 NNY 23 OZ - Subdivision Application - 05 105158 NNY 23 SB – Allan Leibel, Goodmans - Kirkor Architects & Planners – 1 12 Oakburn Crescent and 14 40 Oakburn Place, and 12 Anndale Drive, 68 Avondale Avenue (Ward 23 - Willowdale)”.

Council concurred in the proposal by Mayor Miller.

Councillor Silva, at 11:07 a.m., moved that Council vary the order of its proceedings in order to consider Toronto and East York Community Council Report 7, Clause 19, headed “Designation of Queen Street West, between University Avenue and Bathurst Street, as a Heritage Conservation District under Part V of the *Ontario Heritage Act* (Ward 20 – Trinity Spadina)”, with the planning matters on Wednesday, September 27, 2006, at 9:30 a.m., which carried.

Councillor Hall, at 6:45 p.m., moved that Council vary the order of its proceedings in order to consider Etobicoke York Community Council Report 7, Clause 17, headed “Supplementary Report - Lot 35 Westmore Drive, West Side of Westmore Drive, north of Finch Avenue - Official Plan Amendment and Rezoning Application; Applicant: Eros Fiacconi, EGF Associates (Ward 1 - Etobicoke North)”, with the planning matters on Wednesday, September 27, 2006, at 9:30 a.m., which carried.

Deputy Mayor Pantalone in the Chair.

Councillor Davis, at 7:03 p.m., moved that Council vary the order of its proceedings in order to consider the following Clauses as ‘time sensitive’ matters:

- Policy and Finance Committee Report 7, Clause 25, headed “Lobbyist Regulation”; and
- Policy and Finance Committee Report 7, Clause 26, headed “Amendments to Code of Conduct for Members of Council”.

Adoption of the motion by Councillor Davis as it relates to Clause 25:

Yes - 29	
Councillors:	Ainslie, Ashton, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Hall, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Nunziata, Palacio, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker, Watson
No - 9	
Councillors:	Augimeri, Feldman, Holyday, Li Preti, Minnan-Wong, Ootes, Saundercook, Shiner, Stintz

Carried by a majority of 20.

Adoption of the motion by Councillor Davis as it relates to Clause 26:

Yes - 28	
Councillors:	Ainslie, Ashton, Barron, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Hall, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Nunziata, Palacio, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
No - 10	
Councillors:	Augimeri, Feldman, Holyday, Li Preti, Minnan-Wong, Ootes, Saundercook, Shiner, Stintz, Watson

Carried by a majority of 18.

September 26, 2006:

Mayor Miller in the Chair.

Councillor Moscoe, at 2:35 p.m., moved that Council vary the order of its proceedings in order to consider the following Clauses as ‘time sensitive’ matters, which carried:

- Policy and Finance Committee Report 7, Clause 71, headed “Toronto Transit Commission - Procurement Authorization Amendment - Option to Purchase 220 40-Foot Low Floor Diesel-Electric Hybrid Orion VII Buses”; and

- Policy and Finance Committee Report 7, Clause 72, headed “Toronto Transit Commission - Procurement Authorization Amendment - Option to Purchase 140 40-Foot Low Floor Diesel-Electric Hybrid Orion VII Buses”.

Councillor Shiner, at 3:40 p.m., moved that Council vary the order of its proceedings in order to consider Motion I(7), respecting a Request for Report on the Transfer of Taxicab Licenses to Spouse upon Owner’s Death, as a ‘time sensitive’ matter, the vote upon which was taken as follows:

Yes - 20 Councillors: Ainslie, Ashton, Barron, Cho, Del Grande, Feldman, Grimes, Kelly, Li Preti, Mammoliti, Nunziata, Ootes, Palacio, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 14 Councillors: Augimeri, Carroll, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Mihevc, Minnan-Wong, Moscoe, Pantalone, Silva

Carried by a majority of 6.

Deputy Mayor Feldman in the Chair.

Deputy Mayor Pantalone, at 6:10 p.m., moved that Council vary the order of its proceedings in order to complete consideration of Policy and Finance Committee Report 7, Clause 25, headed “Lobbyist Regulation”, prior to Council starting the in-camera portion of its meeting, the vote upon which was taken as follows:

Yes - 19 Councillors: Ashton, Bussin, Carroll, Davis, Di Giorgio, Feldman, Giambrone, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Silva, Soknacki, Walker
No - 9 Councillors: Barron, Cho, Holyday, Li Preti, Minnan-Wong, Ootes, Shiner, Thompson, Watson

Carried by a majority of 10.

September 27, 2006:

Deputy Mayor Bussin in the Chair.

Councillor Hall, at 11:55 a.m., moved that Council vary the order of its proceedings in order to now consider Etobicoke York Community Council Report 7, Clause 17, headed “Supplementary Report - Lot 35 Westmore Drive, West Side of Westmore Drive, north of Finch Avenue - Official Plan Amendment and Rezoning Application; Applicant: Eros

Fiacconi, EGF Associates (Ward 1 - Etobicoke North)”, the vote upon which was taken as follows:

Yes - 12	
Councillors:	Barron, Cowbourne, Davis, Hall, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Nunziata, Rae, Walker, Watson
No - 16	
Councillors:	Ashton, Augimeri, Bussin, Carroll, De Baeremaeker, Del Grande, Feldman, Filion, Holyday, Jenkins, Mihevc, Moscoe, Palacio, Pantalone, Saundercook, Silva

Lost by a majority of 4.

Procedural Motion:

Councillor Nunziata moved the following procedural motion, which carried:

“That:

- (1) all motions moved at the September 25, 26, and 27, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the special meeting of City Council scheduled for September 28, 2006, and these motions be deemed to be moved; and
- (2) any speakers lists from the September 25, 26, and 27, 2006 meeting of City Council be carried forward to the special meeting of City Council scheduled for September 28, 2006, 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 speakers list to add their names.”

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

September 25, 2006:

Mayor Miller in the Chair.

Councillor Del Grande, at 10:37 a.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, and remain in session until 9:00 p.m., the vote upon which was taken as follows:

Yes - 23	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Barron, Cowbourne, De Baeremaeker, Del Grande, Filion, Fletcher, Ford, Grimes, Holyday, Lindsay Luby, Mammoliti, McConnell, Milczyn, Nunziata,

Palacio, Pantalone, Rae, Saundercook, Soknacki, Watson	
No - 15	
Councillors:	Ashton, Bussin, Cho, Feldman, Jenkins, Kelly, Li Preti, Mihevc, Moscoe, Ootes, Pitfield, Shiner, Silva, Thompson, Walker

Lost, less than two-thirds of Members present having voted in the affirmative.

September 27, 2006:

Mayor Miller, with the permission of Council, at 2:10 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, and remain in session until 7:30 p.m., which carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller, with the permission of Council, at 7:26 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, that Council waive its previous decision to adjourn at 7:30 p.m., and that Council remain in session in order to complete consideration of Policy and Finance Committee Report 7, Clause 52, headed "Recycling Container Capacity", the vote upon which was taken as follows:

Yes - 21	
Mayor:	Miller
Councillors:	Carroll, Cowbourne, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Hall, Holyday, Kelly, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Rae, Silva
No - 11	
Councillors:	Barron, Bussin, Cho, Feldman, Jenkins, Minnan-Wong, Pitfield, Shiner, Stintz, Walker, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

September 28, 2006:

Deputy Mayor Pantalone in the Chair.

Councillor Ootes, at 4:24 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. adjournment, and remain in session in order to complete all items remaining on the Order Paper, the vote upon which was taken as follows:

Yes - 27	
Councillors:	Ainslie, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Kelly, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Shiner, Silva, Soknacki, Stintz, Thompson,

Walker, Watson
No - 10 Councillors: Ashton, Augimeri, Barron, Bussin, Cho, Del Grande, Feldman, Jenkins, Lindsay Luby, Pitfield

Carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Pantalone, at 7:05 p.m., proposed that Council now recess for a dinner break. Council concurred in the proposal by Deputy Mayor Pantalone, recessed at 7:05 p.m. and reconvened at 7:28 p.m.

12.189 ATTENDANCE

Councillor Holyday, seconded by Councillor Moscoe, moved that the absence of Councillor Ford from the special meeting of Council on September 28, 2006, be excused, which carried.

September 25, 2006	9:38 a.m. to 12:30 p.m.*	2:10 p.m. to 7:30 p.m.*
Miller	x	x
Ainslie	x	x
Ashton	x	x
Augimeri	x	x
Bussin	x	x
Carroll	x	x
Cho	x	x
Cowbourne	x	x
Davis	x	x
De Baeremaeker	x	x
Del Grande	x	x
Di Giorgio	x	x
Feldman	x	x
Filion	x	x
Fletcher	x	x
Ford	x	-
Giambrone	x	x

Minutes of the Council of the City of Toronto
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September 25, 2006	9:38 a.m. to 12:30 p.m.*	2:10 p.m. to 7:30 p.m.*
Grimes	x	x
Hall	x	x
Holyday	x	x
Jenkins	x	x
Kelly	x	x
Li Preti	x	x
Lindsay Luby	x	x
Mammoliti	x	x
McConnell	x	x
Mihevc	x	x
Milczyn	x	x
Minnan-Wong	x	x
Moscoe	x	x
Nunziata	x	x
Ootes	x	x
Palacio	x	x
Pantalone	x	x
Pitfield	x	x
Rae	x	x
Saundercook	x	x
Shiner	x	x
Silva	x	x
Soknacki	x	x
Stintz	x	x
Thompson	x	x
Walker	x	x
Watson	x	x
Total	45	44

* Members were present for some or all of the time period indicated.

September 26, 2006	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 7:30 p.m.*	Roll Call 4:06 p.m.
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Minutes of the Council of the City of Toronto
September 25, 26, 27 and 28, 2006

September 26, 2006	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 7:30 p.m.*	Roll Call 4:06 p.m.
Miller	x	x	-
Ainslie	x	x	x
Ashton	x	x	x
Augimeri	x	x	x
Barron	x	x	x
Bussin	x	x	x
Carroll	x	x	x
Cho	x	x	x
Cowbourne	x	x	x
Davis	x	x	x
De Baeremaeker	x	x	x
Del Grande	x	x	x
Di Giorgio	x	x	-
Feldman	x	x	x
Filion	x	x	-
Fletcher	x	x	x
Ford	x	-	-
Giambrone	x	x	x
Grimes	x	x	x
Hall	x	x	x
Holyday	x	x	x
Jenkins	x	x	x
Kelly	x	x	x
Li Preti	x	x	-
Lindsay Luby	x	x	x
Mammoliti	x	x	-
McConnell	x	x	x
Mihevc	x	x	-
Milczyn	x	x	-
Minnan-Wong	x	x	x
Moscoe	x	x	x

Minutes of the Council of the City of Toronto
September 25, 26, 27 and 28, 2006

September 26, 2006	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 7:30 p.m.*	Roll Call 4:06 p.m.
Nunziata	x	x	-
Ootes	x	x	x
Palacio	x	x	x
Pantalone	x	x	x
Pitfield	x	x	-
Rae	x	x	x
Saundercook	x	x	x
Shiner	x	x	x
Silva	x	x	x
Soknacki	x	x	x
Stintz	x	x	-
Thompson	x	x	-
Walker	x	x	x
Watson	x	x	x
Total	45	44	33

* Members were present for some or all of the time period indicated.

September 27, 2006	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 7:30 p.m.*	Roll Call 6:47 p.m.
Miller	x	x	x
Ainslie	x	x	-
Ashton	x	x	-
Augimeri	x	x	-
Barron	x	x	x
Bussin	x	x	x
Carroll	x	x	-
Cho	x	x	x
Cowbourne	x	x	x
Davis	x	x	x
De Baeremaeker	x	x	x
Del Grande	x	x	x
Di Giorgio	x	x	-

Minutes of the Council of the City of Toronto
September 25, 26, 27 and 28, 2006

September 27, 2006	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 7:30 p.m.*	Roll Call 6:47 p.m.
Feldman	x	x	x
Filion	x	x	-
Fletcher	x	x	-
Ford	-	-	-
Giambrone	x	x	x
Grimes	x	x	-
Hall	x	x	-
Holyday	x	x	x
Jenkins	x	x	-
Kelly	x	x	-
Li Preti	x	x	-
Lindsay Luby	x	x	x
Mammoliti	x	x	x
McConnell	x	x	-
Mihevc	x	x	x
Milczyn	x	x	-
Minnan-Wong	x	x	-
Moscoe	x	x	x
Nunziata	x	x	x
Ootes	x	x	-
Palacio	x	x	x
Pantalone	x	x	x
Pitfield	x	x	x
Rae	x	x	x
Saundercook	x	x	x
Shiner	x	x	-
Silva	x	x	x
Soknacki	x	x	-
Stintz	x	x	x
Thompson	x	x	-
Walker	x	x	x

Minutes of the Council of the City of Toronto
September 25, 26, 27 and 28, 2006

September 27, 2006	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 7:30 p.m.*	Roll Call 6:47 p.m.
Watson	x	x	x
Total	44	44	25

* Members were present for some or all of the time period indicated.

September 28, 2006	9:40 a.m. to 12:30 p.m.*	Roll Call 10:42 a.m.	2:10 p.m. to 3:02 p.m.*	Roll Call 2:07 p.m.	Ctte. of the Whole in-Camera 3:06 p.m.
Miller	-	-	-	-	-
Ainslie	x	x	x	x	x
Ashton	x	x	x	-	x
Augimeri	x	x	x	x	-
Barron	x	x	x	x	x
Bussin	x	x	x	x	x
Carroll	x	x	x	-	x
Cho	x	x	x	x	x
Cowbourne	x	x	x	-	x
Davis	x	x	x	x	x
De Baeremaeker	x	x	x	x	x
Del Grande	x	x	x	x	x
Di Giorgio	x	x	-	-	-
Feldman	x	-	x	x	x
Filion	x	-	x	-	x
Fletcher	x	-	x	x	x
Ford	-	-	-	-	-
Giambrone	x	x	x	x	x
Grimes	x	x	x	-	x
Hall	x	-	x	x	x
Holyday	x	x	x	-	x
Jenkins	x	x	x	-	x
Kelly	x	x	x	-	x
Li Preti	x	x	x	x	-
Lindsay Luby	x	-	x	x	x

Minutes of the Council of the City of Toronto
September 25, 26, 27 and 28, 2006

September 28, 2006	9:40 a.m. to 12:30 p.m.*	Roll Call 10:42 a.m.	2:10 p.m. to 3:02 p.m.*	Roll Call 2:07 p.m.	Ctte. of the Whole in-Camera 3:06 p.m.
Mammoliti	x	x	x	-	x
McConnell	x	-	-	-	-
Mihevc	x	-	x	x	x
Milczyn	x	-	-	-	x
Minnan-Wong	x	-	x	x	x
Moscoe	x	-	x	x	x
Nunziata	x	x	x	x	x
Ootes	x	x	x	-	x
Palacio	x	-	x	-	x
Pantalone	x	x	x	x	x
Pitfield	x	-	x	-	x
Rae	x	x	x	x	x
Saundercook	x	-	x	x	x
Shiner	x	-	x	x	x
Silva	x	x	x	x	x
Soknacki	-	-	x	x	x
Stintz	x	-	x	x	x
Thompson	x	x	x	-	x
Walker	x	x	x	x	x
Watson	x	x	x	x	x
Total	42	27	40	27	39

* Members were present for some or all of the time period indicated.

September 28, 2006	4:06 p.m. to 7:05 p.m.*	Roll Call 5:28 p.m.	7:28 p.m. to 10:20 p.m.*	Roll Call 8:37 p.m.
Miller	x	x	-	-
Ainslie	x	x	x	x
Ashton	x	x	-	-
Augimeri	x	-	-	-
Barron	x	x	x	x
Bussin	x	x	x	-
Carroll	x	-	x	x

Minutes of the Council of the City of Toronto
September 25, 26, 27 and 28, 2006

September 28, 2006	4:06 p.m. to 7:05 p.m.*	Roll Call 5:28 p.m.	7:28 p.m. to 10:20 p.m.*	Roll Call 8:37 p.m.
Cho	x	x	x	-
Cowbourne	x	x	x	x
Davis	x	-	x	-
De Baeremaeker	x	x	x	x
Del Grande	x	-	x	x
Di Giorgio	x	-	x	x
Feldman	x	x	x	x
Filion	x	x	-	-
Fletcher	x	-	x	-
Ford	-	-	-	-
Giambrone	x	x	x	x
Grimes	x	x	x	x
Hall	x	x	x	x
Holyday	x	x	x	x
Jenkins	x	x	-	-
Kelly	x	x	x	x
Li Preti	-	-	-	-
Lindsay Luby	x	x	x	-
Mammoliti	x	x	-	-
McConnell	x	-	x	x
Mihevc	x	x	-	-
Milczyn	x	x	-	-
Minnan-Wong	x	x	-	-
Moscoe	x	x	x	x
Nunziata	x	x	x	x
Ootes	x	x	x	-
Palacio	x	x	x	x
Pantalone	x	x	x	x
Pitfield	x	-	-	-
Rae	x	x	x	x
Saundercook	-	-	-	-

September 28, 2006	4:06 p.m. to 7:05 p.m.*	Roll Call 5:28 p.m.	7:28 p.m. to 10:20 p.m.*	Roll Call 8:37 p.m.
Shiner	x	x	x	x
Silva	x	x	x	x
Soknacki	x	-	x	x
Stintz	x	-	x	x
Thompson	x	-	-	-
Walker	x	-	x	x
Watson	x	-	x	x
Total	42	29	31	25

* Members were present for some or all of the time period indicated.

Council adjourned on Thursday, September 28, 2006, at 10:20 p.m.

**DAVID R. MILLER,
Mayor**

**ULLI S. WATKISS,
City Clerk**

ATTACHMENT 1 [Notice of Motion I(3)]

Appendix to Notice of Motion I(3), entitled “Terms of Reference - Establishment of Task Force: Property Assessment Reform Task Force (PART)”. (See Minute 12.112, Page 144):

This Task-Force will deal with reform of the property assessment system by investigating other property assessment systems in use in other provinces and other countries to create new options for property assessment systems that may be used by the City of Toronto to collect municipal property taxes in a more fair, equitable, predictable and affordable manner, and such Task-Force will lobby the provincial government for Property Tax Assessment Reform.

This Task-Force will report to the December 2007 meeting of the Executive Committee and will have a sunset date of December 2008.

This Task-Force will have a membership of four Councillors and five members of the public, for a total of nine members.

This Task-Force will report to the Executive Committee.

This Task-Force is needed to focus attention on this issue as no standing committee has shown interest and our system of property assessment is presently under an increasing amount of scrutiny and criticism.

This Task-Force will be supported by staff from Clerks, Economic Development and Finance divisions.

ATTACHMENT 2 [Notice of Motion I(3)]

Communication (July 26, 2006) from the City Clerk, entitled “City Clerk’s Impact Statement – Proposed Property Assessment Reform Task Force (PART) – Notice of Motion J(8) by Councillor Walker, to be considered by City Council on July 26, 2006”. (See Minute 12.112, Page 144):

Proposal set out in Notice of Motion J(8) [now Motion I(3)]:

This Motion will establish a Property Assessment Reform Task Force, consisting of 9 members (4 Members of Council and 5 Citizen Members), with meeting support and member appointments provided by the City Clerk’s Office. The City Clerk’s Office does not currently have the staff resources to support this task force.

Cost of Provision of Meeting Support and Member Appointment Services:

The proposed Terms of Reference state that the Task Force work will be completed by December 2008. Assuming 6 meetings per year, it is anticipated that meeting support costs will be \$6,630.00 per year, with an additional one time cost of \$4,550.00 in appointment costs. Additional net new funding would be required to provide support to this Task Force.

Compliance with Section 108 of Chapter 27 of the Municipal Code, Council Procedures:

The table below sets out whether the proposed Terms of Reference satisfy Section 108 of Council’s Procedures By-law. As noted, staffing resources are not available within present budgets and would require net new additional funding.

Compliance with Section 108 of Chapter 27 of the Municipal Code, Council Procedures		
Terms of Reference submitted to City Council setting out:		
✓ the matters to be dealt with	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ a reporting date and a sunset date, beyond which Council approval is required for its continuation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ the membership	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ the standing committee to which the body shall report to	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ the reason why the work cannot be undertaken by an existing standing committee	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ identification of staff and other resources required to support the body, and a determination that they are available within existing resources	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

City Clerk’s Recommendation regarding Meeting and Appointment Services Support:

The City Clerk’s Office does not have the resources to support this additional Task Force.

Additional net new funding is required to provide support to this Task Force, other changes to

the City's governance structure (i.e., adding two new standing committees and perhaps additional community councils), the impact of Justice Bellamy's recommendations, and the new *City of Toronto Act*. Council has requested a report for the 2007 budget process on the budget impact resulting from the various governance changes underway, as well as a report on criteria for providing meeting support for the numerous advisory committees established by Council.

It is premature for the City Clerk's Office to support this Task Force until such time as the new Council decides on the number and scope of committees, advisory bodies, and task forces to be established in the new term, and the funding requirements to support these bodies.

ATTACHMENT 3 [Notice of Motion J(5)]

Report (September 8, 2006) from the General Manager, Economic Development, Culture and Tourism, entitled “Poll Results - Proposed Designation of the Albion Islington Business Improvement Area (BIA), Ward 1 - Etobicoke North”. (See Minute 12.123, Page 171):

Purpose:

To report on and make recommendations regarding the poll results for the proposed designation of the Albion Islington Business Improvement Area.

Financial Implications and Impact Statement:

The proposed Albion Islington BIA is one of eight potential new BIAs to be established in 2006.

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the proposed BIA. These capital improvements are cost-shared equally between the BIA and the City.

The Deputy City Manager and Chief Financial Officer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA in the Albion and Islington area, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the *Municipal Act, 2001*;
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting on June 27, 28 and 29, 2006, City Council adopted, without amendment, Motion J(2), titled “Establishment of a Business Improvement Area for the Albion and Islington Avenue Business Area, Ward 1 – Etobicoke North”. The Motion authorized the City Clerk to carry out the formal polling to create a BIA in the area shown in Attachment No. 1; and that the General Manager of Economic Development Culture and Tourism be authorized to report directly on the poll results to the September 25, 2006 Council meeting.

The *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a Business Improvement Area may

be designated by by-law in order to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality, and to promote the area as a business or shopping area.

Before passing a by-law to designate a Business Improvement Area, notice of the proposed by-law is sent by pre-paid mail to every person who, on the last returned assessment roll, is assessed for rateable property that is in a prescribed business property class which is located in the proposed Business Improvement Area.

Any person who receives a notice of the proposed by-law must, within 30 days, give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property. The owner must also give the clerk of the municipality a list of every tenant and their share of the taxes paid.

A municipality shall not pass a by-law to designate a Business Improvement Area if written objections are received by the City Clerk of the municipality within 60 days after mailing the notices and if the objections have been signed by at least one-third of the total number of persons entitled to notice and, the objectors are responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the improvement area.

The City Clerk shall determine whether all conditions have been met and, if they are, shall issue a certificate affirming that fact.

Comments:

The City Clerk plays a statutory role in establishing a Business Improvement Area. Through the Registry Services Section, Notices of Intention to create a BIA are mailed to every assessed business class property owner within the proposed BIA.

On July 4, 2006, the City Clerk mailed 105 Notices of Intention to Designate to all persons assessed with respect to rateable property within the specified proposed Albion Islington Business Improvement Area to determine whether or not this area could become a BIA. Within 30 days after the notice was mailed, 12 tenant lists were returned to the City Clerk by the property owners. Thirty-nine commercial tenants were identified from the lists and added to the original list of 105 property owners. Therefore, a total of 144 persons were identified to receive notice. The full amount of taxes levied on the rateable property that is in the prescribed business property class in the specified Albion Islington Business Improvement Area totals \$1,854,374.00.

As noted above, the written objections received must have been signed by at least one-third of the total number of persons entitled to notice and represent one-third of the taxes levied in the area. Two petitions of objection to the proposed designation of the Albion Islington Business Improvement Area were received by the City Clerk by September 1, 2006, the end of the notice period.

The number of objecting petitions does not meet the sufficiency benchmarks required by s.210 (3) of the *Municipal Act*. Therefore, based upon the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 as the Albion Islington Business Improvement Area, under Section 204 of the *Municipal Act, 2001*.

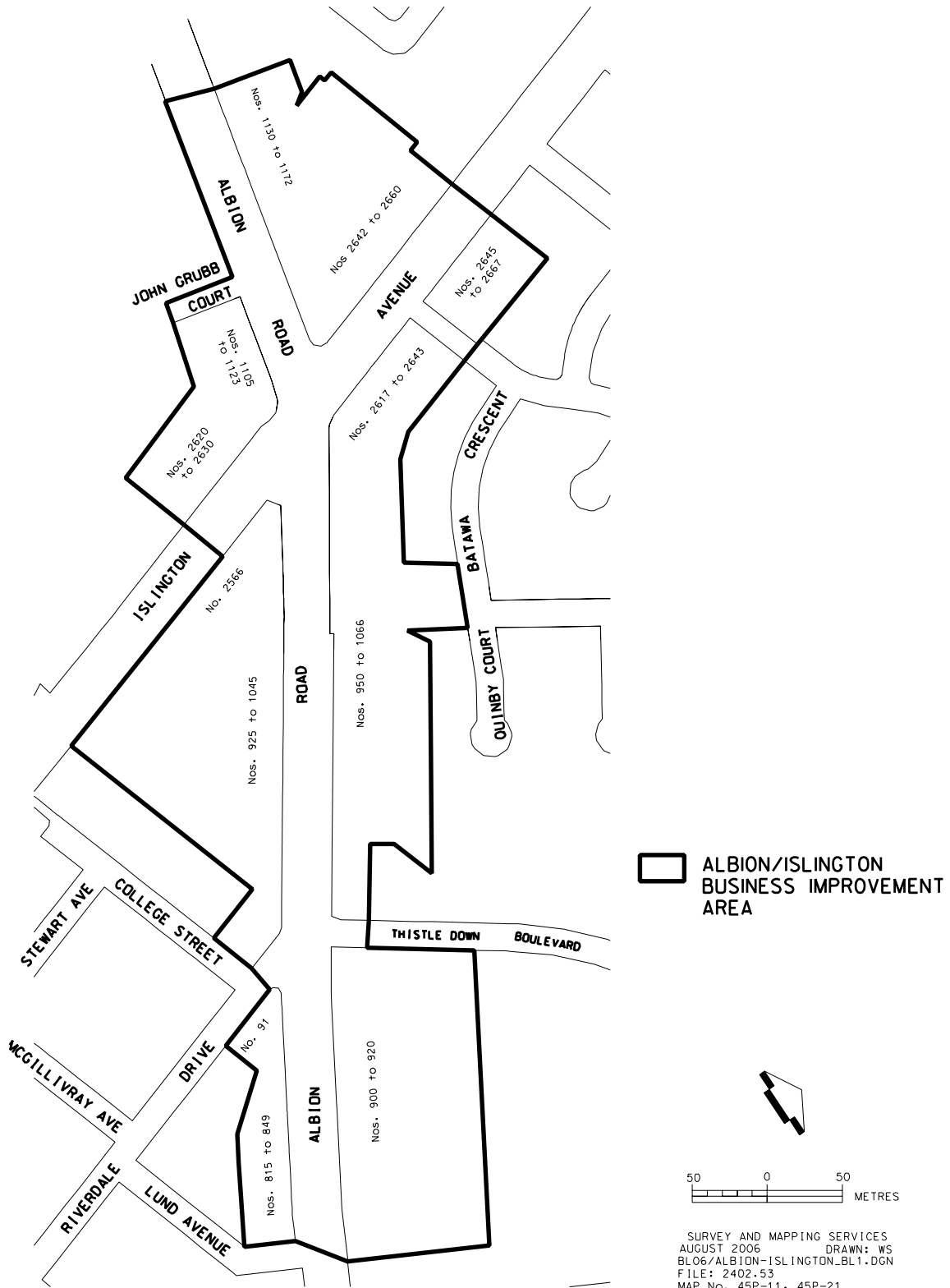
Conclusions:

The number of objecting petitions regarding the proposed BIA does not meet the sufficiency benchmarks required by s.210 (3) of the *Municipal Act*. Based upon the results, it is recommended that Council pass a by-law to designate the Albion Islington Business Improvement Area, under Section 204 of the *Municipal Act, 2001*.

Contact:

Eva Pyatt, Director, Small Business & Local Partnerships
Tel: (416) 392-7183
Fax: (416) 392-1380
Email: epyatt@toronto.ca

Attachment No. 1 – Map of Proposed Albion Islington Business Improvement Area.



SURVEY AND MAPPING SERVICES
AUGUST 2006 DRAWN: WS
BLO6/ALBION-ISLINGTON_BL1.DGN
FILE: 2402.53
MAP No. 45P-11, 45P-21

ATTACHMENT 4 [Notice of Motion J(6)]

Report (September 7, 2006) from the General Manager, Economic Development, Culture and Tourism, entitled "Poll Results - Proposed Designation of the Old Queen Street Business Improvement Area (BIA), Wards 27 and 28 - Toronto Centre-Rosedale". (See Minute 12.124, Page 173)

Purpose:

To report on and make recommendations regarding the poll results for the proposed designation of the Old Queen Street Business Improvement Area.

Financial Implications and Impact Statement:

The proposed Old Queen Street BIA is one of eight potential new BIAs to be established in 2006.

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the proposed BIA. These capital improvements are cost-shared equally between the BIA and the City.

The Deputy City Manager and Chief Financial Officer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA on Queen Street East between Victoria Street and River Street, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the *Municipal Act, 2001*;
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting on June 27, 28 and 29, 2006, City Council adopted, without amendment, Motion J(17), entitled "Creating a Business Improvement Area (BIA) for the Queen Street East Business Area Between Victoria Street and River Street". The Motion authorized the City Clerk to carry out the formal polling to create a BIA in the area shown in Attachment No. 1; and that the General Manager of Economic Development Culture and Tourism be authorized to report directly on the poll results to the September 25, 2006 Council meeting.

The *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a Business Improvement Area may be designated by by-law in order to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality, and to promote the area as a business or shopping area.

Before passing a by-law to designate a Business Improvement Area, notice of the proposed by-law is sent by pre-paid mail to every person who, on the last returned assessment roll, is assessed for rateable property that is in a prescribed business property class which is located in the proposed Business Improvement Area.

Any person who receives a notice of the proposed by-law must, within 30 days, give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property. The owner must also give the clerk of the municipality a list of every tenant and their share of the taxes paid.

A municipality shall not pass a by-law to designate a Business Improvement Area if written objections are received by the City Clerk of the municipality within 60 days after mailing the notices and if the objections have been signed by at least one-third of the total number of persons entitled to notice and, the objectors are responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in the prescribed business property classes in the improvement area.

The City Clerk shall determine whether all conditions have been met and, if they are, shall issue a certificate affirming that fact.

Comments:

The City Clerk plays a statutory role in establishing a Business Improvement Area. Through the Registry Services Section, Notices of Intention to create a BIA are mailed to every assessed business class property owner within the proposed BIA.

On July 4, 2006, the City Clerk mailed a Notice of Intention to designate the area along Queen Street East between Victoria Street and River Street as a new BIA to all persons assessed with respect to rateable property in the area shown in Attachment No. 1 to determine whether or not to create a BIA.

Within 30 days after the notices were mailed, 23 tenant lists were returned to the City Clerk by the owners. Forty-seven commercial tenants were identified from the lists and added to the original 182 notice recipients for a total number of persons entitled to receive notice of 229. The full amount of taxes levied on the rateable property that is in the prescribed business property class in the proposed Old Queen Street BIA totals \$5,384,689.00.

As noted above, the written objections received must have been signed by at least one-third of the total number of persons entitled to notice and represent one-third of the taxes levied in the area. Thirty-seven petitions of objection to designate Queen Street East between Victoria Street and River Street as a BIA were received by the City Clerk by September 1, 2006, the end of the notice period.

The number of objecting petitions does not meet the sufficiency benchmarks required by s.210 (3) of the *Municipal Act*. Therefore, based upon the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 as the Old Queen Street Business Improvement Area, under Section 204 of the *Municipal Act, 2001*.

Conclusions:

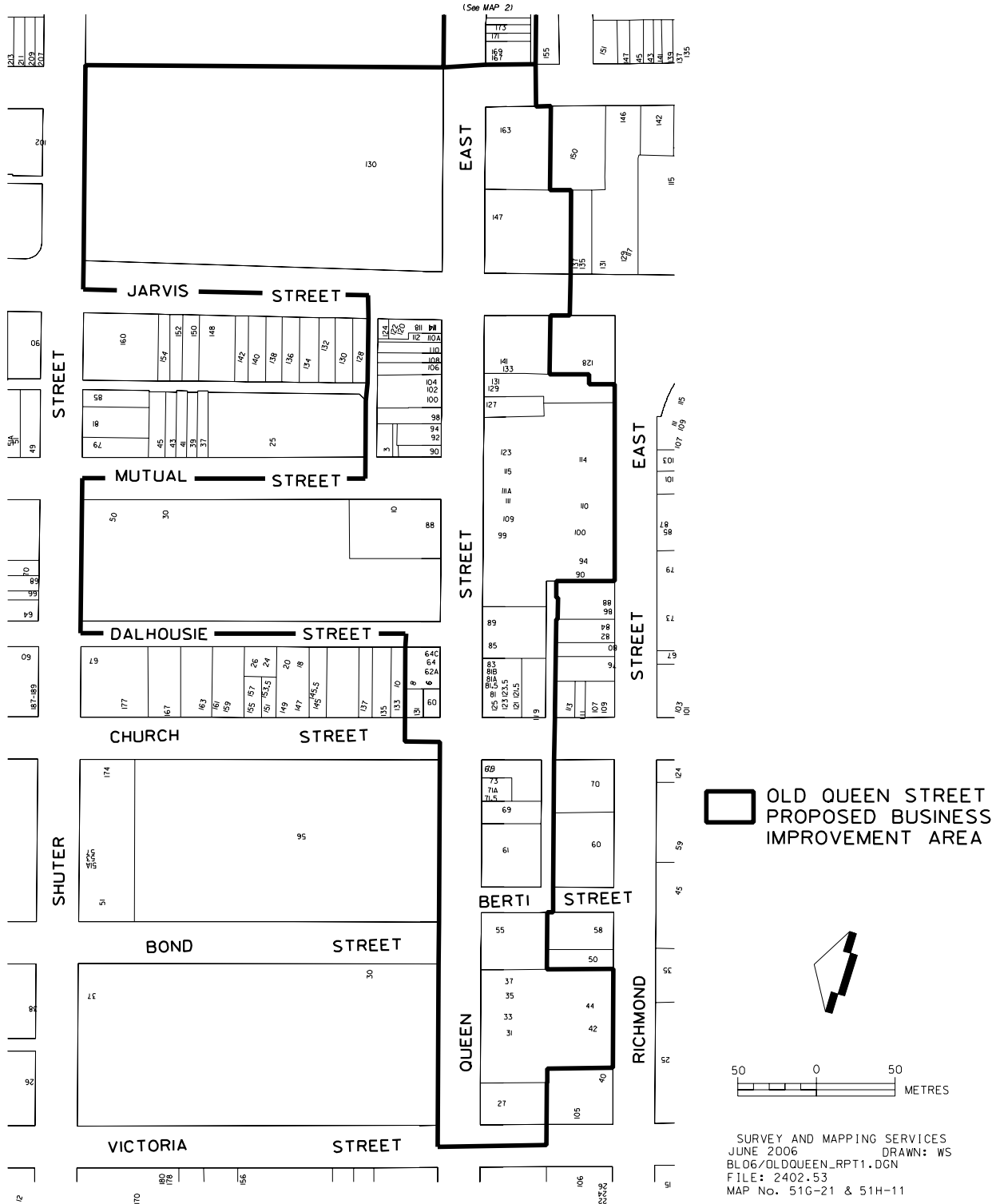
The number of objecting petitions regarding the proposed BIA does not meet the sufficiency benchmarks required by s.210 (3) of the *Municipal Act*. Based upon the results, it is recommended that Council pass a by-law to designate the Old Queen Street Business Improvement Area, under Section 204 of the *Municipal Act, 2001*.

Contact:

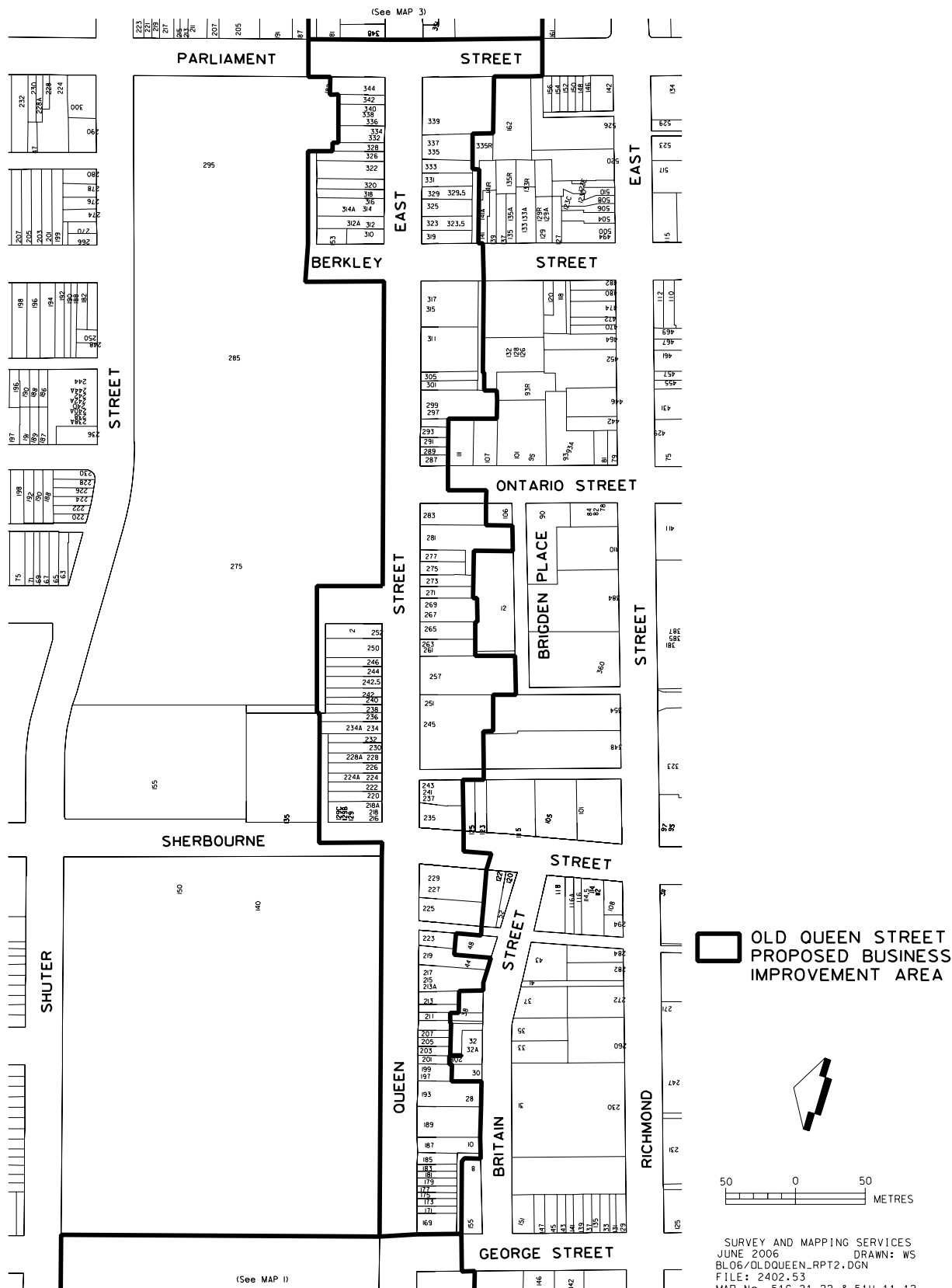
Eva Pyatt, Director, Small Business & Local Partnerships
Tel: (416) 392-7183
Fax: (416) 392-1380
Email: epyatt@toronto.ca

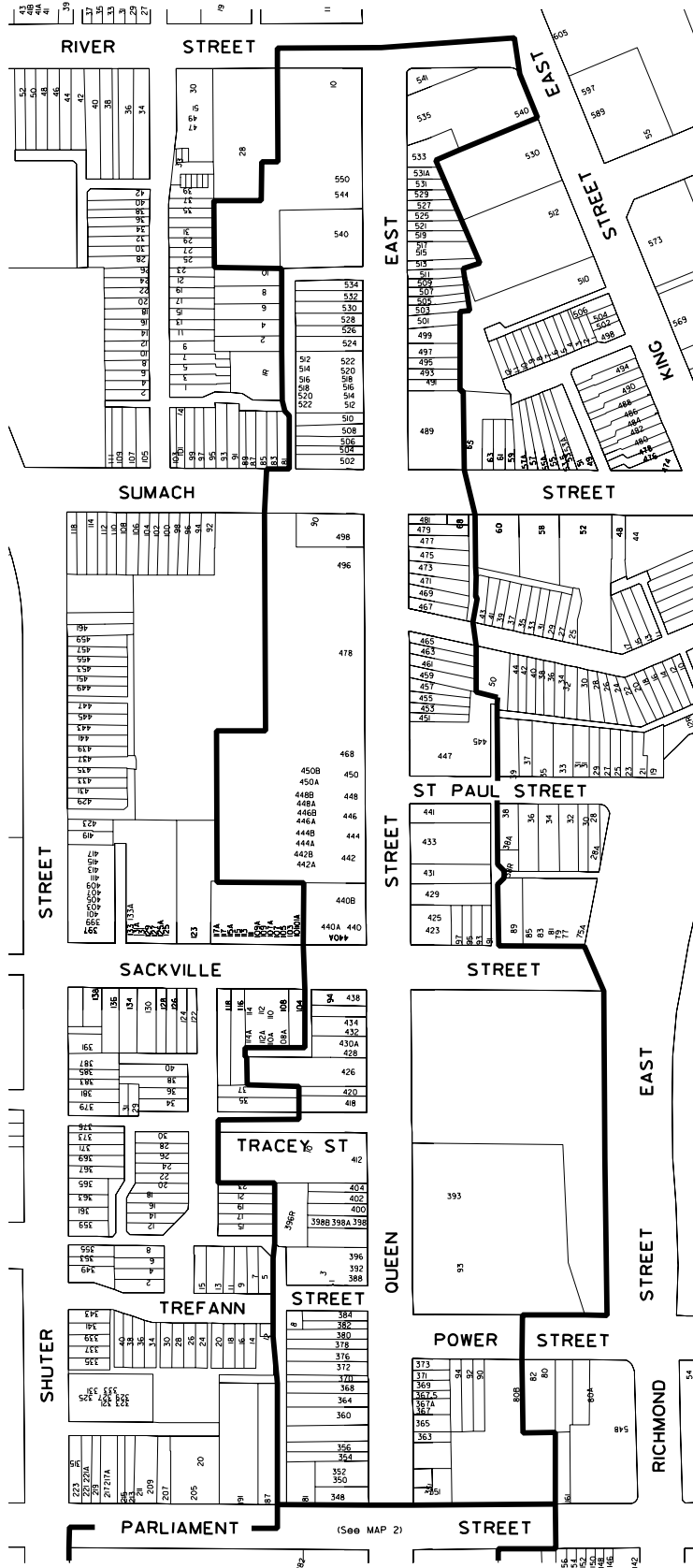
Attachments:

Attachment No. 1 - Maps 1 to 3 of proposed Old Queen Street Business Improvement Area.



MAP 2 of 3





 OLD QUEEN STREET
PROPOSED BUSINESS
IMPROVEMENT AREA



SURVEY AND MAPPING SERVICES
JUNE 2006 DRAWN: WS
BL06/OLDQUEEN_RPT3.DGN
FILE: 2402-53
MAP No. 51G-21,22 & 51H-11,12

ATTACHMENT 5 [Notice of Motion J(7)]

Report (September 13, 2006) from the General Manager, Economic Development, Culture and Tourism, entitled "Poll Results - Proposed Designation of the Dundas West Business Improvement Area (BIA) Ward 18 - Davenport". (See Minute 12.125, Page 174)

Purpose:

To report on and make recommendations regarding the poll results for the proposed designation of the Dundas West Business Improvement Area.

Financial Implications and Impact Statement:

The proposed Dundas West BIA is one of eight potential new BIAs to be established in 2006.

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the Dundas West BIA. These capital improvements are cost-shared equally between the BIA and the City.

The Deputy City Manager and Chief Financial Officer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA on Dundas Street West between Lansdowne Avenue and Rusholme Road, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the *Municipal Act, 2001*;
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting on June 27, 28 and 29, 2006, City Council adopted, without amendment, Clause No. 6 contained in Report No. 4 of the Economic Development and Parks Committee, headed "Intention to Designate the Dundas West Business Improvement Area (BIA), Ward 18 - Davenport". The staff report recommended the establishment of the Dundas West Business Improvement Area, subject to a favourable poll and that staff report directly to Council on the poll results.

The *Municipal Act, 2001*, S.O. 2001 c.25 provides that a Business Improvement Area may be designated by by-law in order to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality, and to promote the area as a business or shopping area.

Before passing a by-law to designate a Business Improvement Area, notice of the proposed by-law is sent by pre-paid mail to every person who, on the last returned assessment roll, is assessed for rateable property that is in a prescribed business property class which is located in the proposed improvement area.

Any person who receives a notice of the proposed by-law must, within 30 days, give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property. The owner must also give the clerk of the municipality a list of every tenant and their share of the taxes paid.

A municipality shall not pass a by-law to designate a Business Improvement Area if written objections are received by the City Clerk of the municipality within 60 days after mailing the notices and if the objections have been signed by at least one-third of the total number of persons entitled to notice and, the objectors are responsible for at least one-third of the taxes levied for purposes of the general local municipal levy on rateable property in all prescribed business property classes in the improvement area.

The City Clerk shall determine whether all conditions have been met and, if they are, shall issue a certificate affirming that fact.

Comments:

The City Clerk plays a statutory role in establishing a Business Improvement Area. Through the Registry Services Section, Notices of Intention to create a BIA are mailed to every assessed business class property owner within the proposed BIA.

On July 4, 2006, the City Clerk mailed a Notice of Intention to designate the area along Dundas Street West between Lansdowne Avenue and Rusholme Road as a new BIA to all persons assessed with respect to rateable property in the area shown in Attachment No. 1 to determine whether or not to create a BIA.

Within 30 days after the notice was mailed, 19 tenant lists were returned to the City Clerk by the owners. Twenty-two commercial tenants were identified from the lists and added to the original 177 notice recipients for a total number of persons entitled to receive notice of 199. The full amount of taxes levied on the rateable property that is in the prescribed business property class in the proposed Dundas West Business Improvement Area totals \$1,742,481.00.

As noted above, the written objections received must have been signed by at least one-third of the total number of persons entitled to notice and represent one-third of the taxes levied in the

area. Sixteen petitions of objection to the proposed designation of the Dundas West Business Improvement Area were received by the City Clerk by September 1, 2006, the end of the notice period.

The number of objecting petitions does not meet the sufficiency benchmarks required by s.210(3) of the *Municipal Act*. Therefore, based upon the results of the poll, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 as the Dundas West Business Improvement Area, under Section 204 of the *Municipal Act, 2001*.

Conclusions:

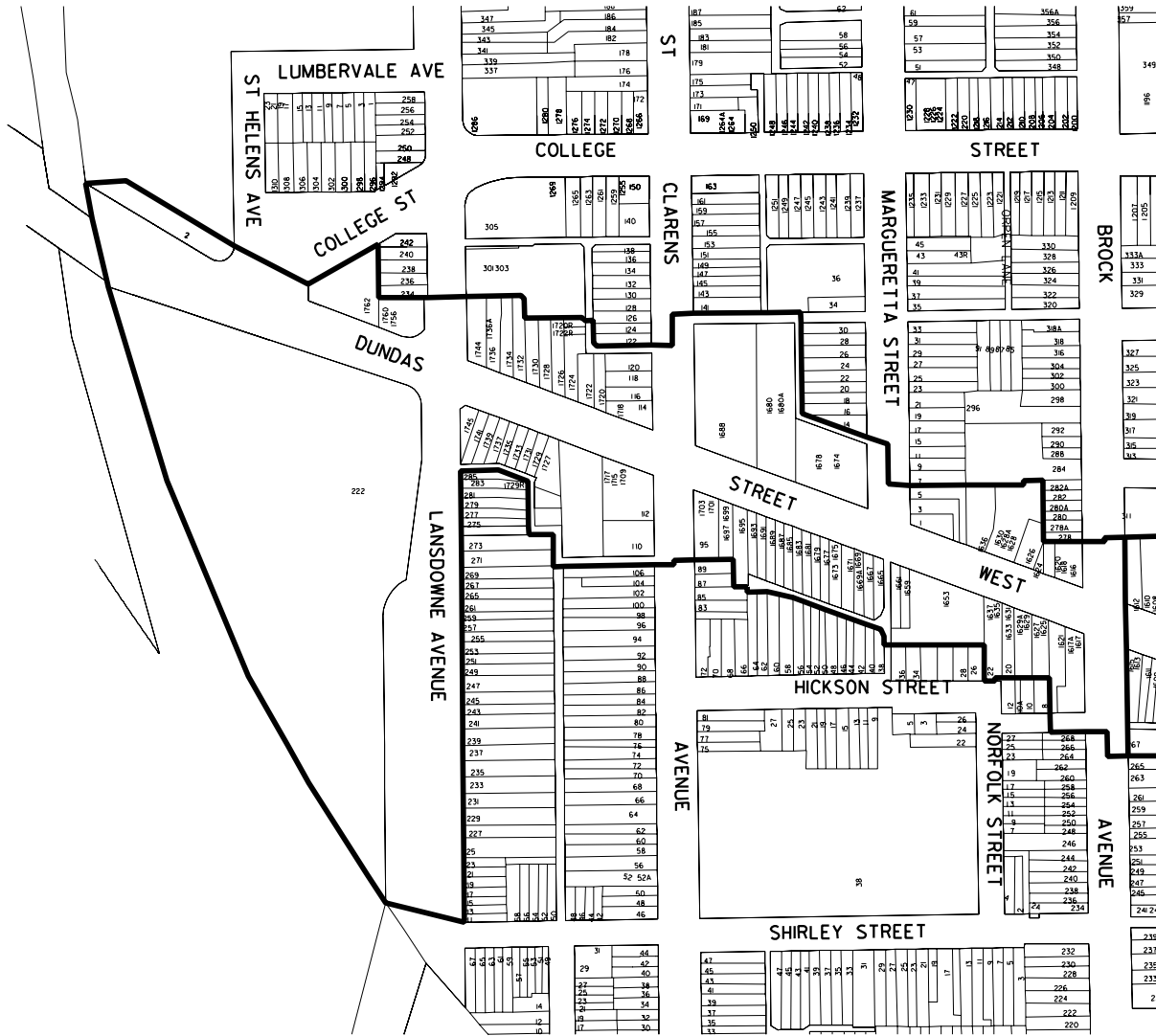
The number of objecting petitions regarding the proposed BIA does not meet the sufficiency benchmarks required by s.210 (3) of the *Municipal Act*. Based upon the results, it is recommended that Council pass a by-law to designate the Dundas West Business Improvement Area, under Section 204 of the *Municipal Act, 2001*.

Contact:

Eva Pyatt, Director, Small Business & Local Partnerships
Tel: (416) 392-7183
Fax: (416) 392-1380
Email: epyatt@toronto.ca

List of Attachments:

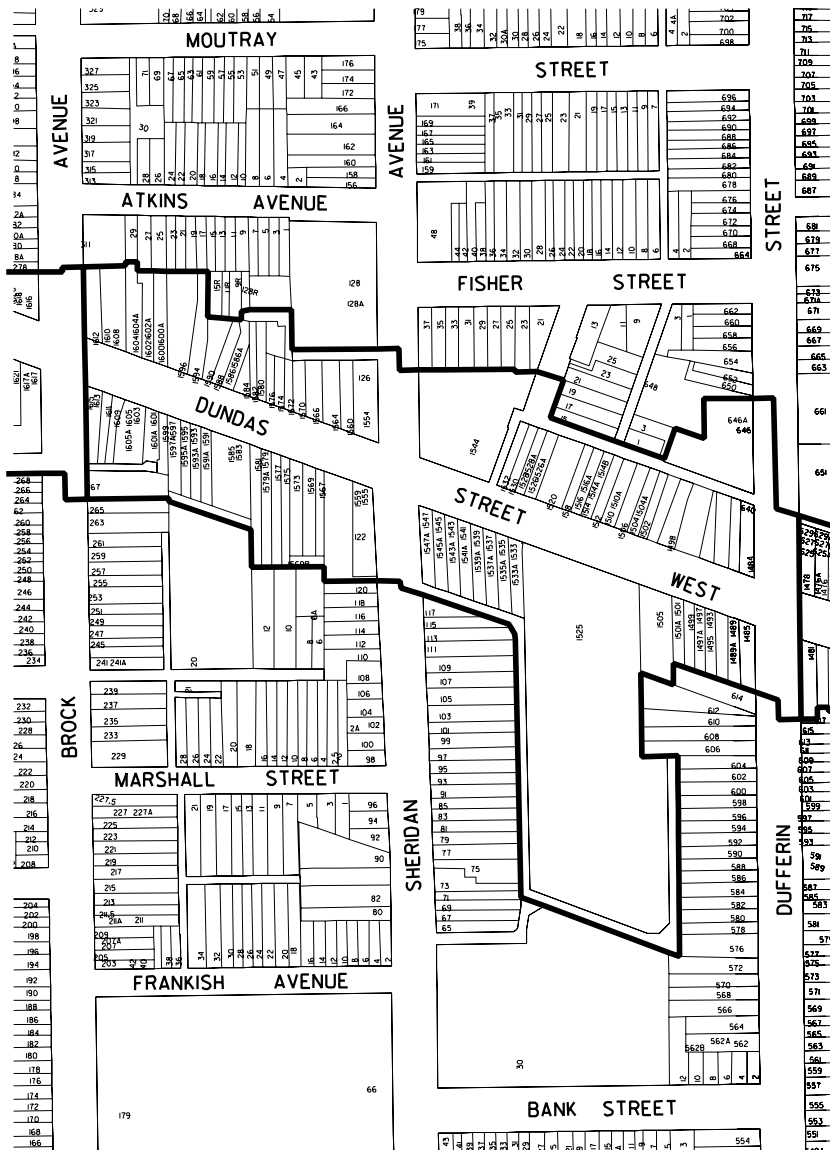
Attachment No. 1 – Maps 1 to 3 of the proposed Dundas West Business Improvement Area



 DUNDAS WEST
PROPOSED BUSINESS IMPROVEMENT AREA



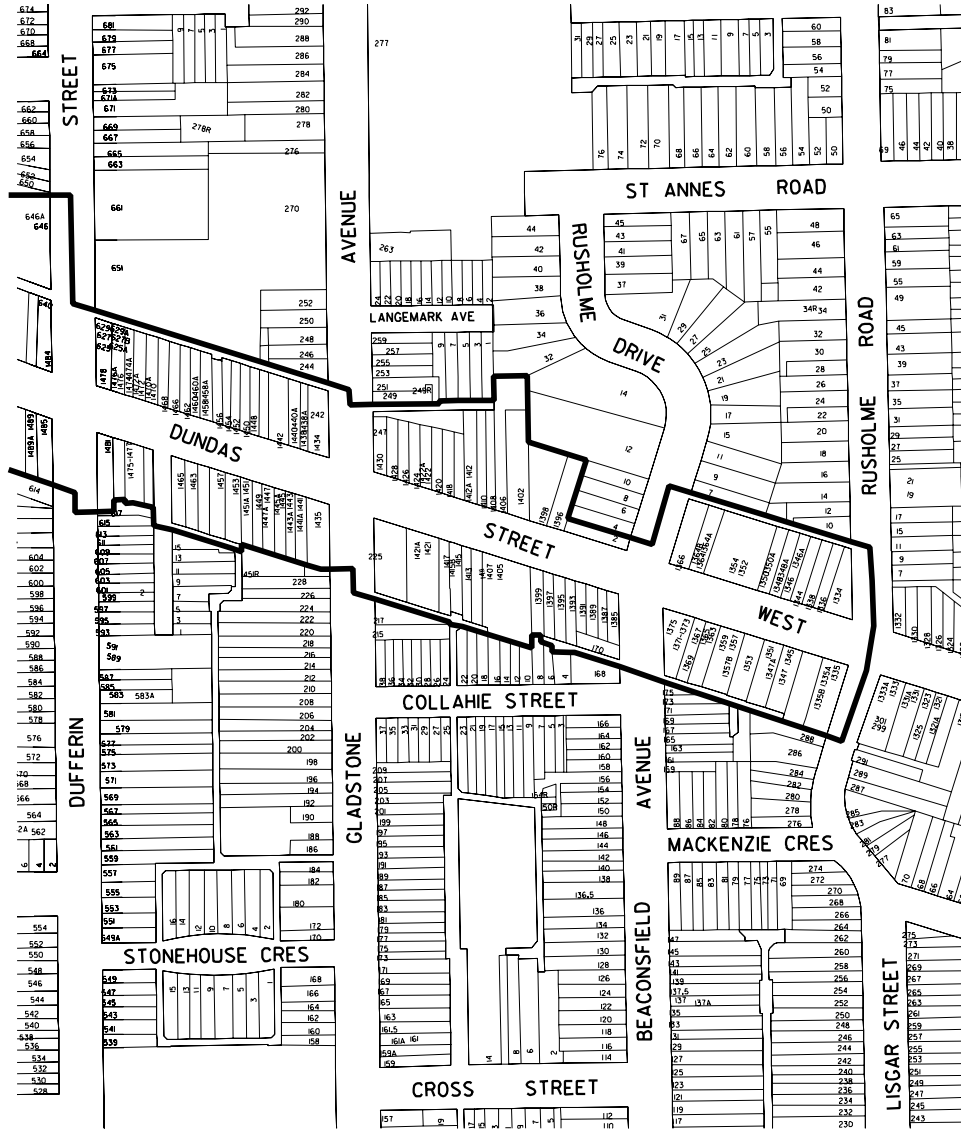
SURVEY AND MAPPING SERVICES
APRIL 2006 DRAWN: WS
BL06/DUNDAS-WEST_RPT1.DGN
FILE:
MAP No. 48H-13 & 23, 49H-11



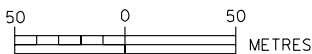
 DUNDAS WEST
 PROPOSED BUSINESS IMPROVEMENT AREA



SURVEY AND MAPPING SERVICES
 APRIL 2006 DRAWN: WS
 BL06/DUNDAS-WEST_RPT1.DGN
 FILE:
 MAP No. 48H-13 & 23, 49H-11



 DUNDAS WEST
PROPOSED BUSINESS IMPROVEMENT AREA



SURVEY AND MAPPING SERVICES
APRIL 2006 DRAWN: WS
BL06/DUNDAS-WEST_RPT3.DGN
FILE:
MAP No. 48H-13 & 23, 49H-11

ATTACHMENT 6 [Notice of Motion J(8)]

Report (September 13, 2006) from the General Manager, Economic Development, Culture and Tourism, entitled “Poll Results - Proposed Expansion of the Little Italy Business Improvement Area Ward 19 - Trinity-Spadina”. (See Minute 12.126, Page 177):

Purpose:

To report and make recommendations regarding the poll results for the proposed expansion of the Little Italy Business Improvement Area (BIA).

Financial Implications and Impact Statement:

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the expanded Little Italy BIA. These capital improvements are cost-shared equally between the BIA and the City.

The Deputy City Manager and Chief Financial Officer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) based upon the results of the poll respecting the intention to expand the Little Italy BIA, Council pass a by-law to designate the area described by Attachment No. 1, as an expanded Business Improvement Area, under Section 204 of the *Municipal Act, 2001*;
- (2) leave be granted for the introduction of the necessary bill in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting on June 27, 28 and 29, 2006, City Council adopted, without amendment, Motion J(33), titled “Expansion of Little Italy Business Improvement Association (BIA) Boundaries from Euclid Avenue to Bathurst Street”. The Motion authorized the City Clerk to carry out the formal polling to expand the BIA to include the three blocks between Euclid Avenue and Bathurst Street and that the General Manager of Economic Development, Culture and Tourism be authorized to report directly on the poll results to the September 25th, 2006 Council meeting.

The *Municipal Act, 2001* provides that a municipality may alter or expand the boundaries of an Improvement Area. Before passing a by-law to expand an Improvement Area, the Municipal Act requires notice of the proposed by-law to be sent by pre-paid mail to the board of management of the Improvement Area, if any, and to every person who, on the last returned assessment roll, is assessed for rateable property that is in a prescribed business property class which is located in the proposed expanded Improvement Area.

Any person who receives a notice of the proposed by-law must, within 30 days, give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property. The owner must also give the clerk of the municipality a list of every tenant and their share of the taxes paid.

A municipality shall not pass a by-law to expand a BIA if written objections are received by the City Clerk of the municipality within 60 days after mailing the notices and if the objections have been signed by at least one-third of the total number of persons entitled to notice. In addition, the objectors must be responsible for at least one-third of the taxes levied for the purposes of the general local municipality levy on rateable property in all prescribed business property classes in either the improvement area or the geographic area the proposed by-law would add to the existing improvement area.

The Clerk shall determine whether all conditions have been met and, if they are, shall issue a certificate affirming that fact.

Comments:

The City Clerk plays a statutory role in the expansion of an existing Business Improvement Area. Through the Registry Services Section, Notices of Intention to Expand a BIA are mailed to every owner of property assessed to a prescribed business property class within the proposed BIA.

On July 4, 2006, the City Clerk mailed 162 Notices of Intention to Expand the Boundary of the Little Italy BIA to all persons assessed for rateable property within the Little Italy BIA and the area of the proposed expansion, to determine whether or not to alter the boundaries of the BIA.

Within 30 days after the notices were mailed, 25 tenant lists were returned to the City Clerk by the owners. Ninety-four commercial tenants were identified from the lists and added to the original 162 notice recipients for a total number of persons entitled to receive notice of 256. The full amount of taxes levied on the rateable property that is in the prescribed business property class in the proposed expanded Little Italy BIA totals \$4,326,911.

As noted above, the written objections received must have been signed by at least one-third of the total number of persons entitled to notice. Eighty-two petitions of objection to expand the boundaries of the Little Italy BIA were received by the Clerk by September 1, 2006, the end of the full notice period.

The number of objecting petitions regarding the proposed expansion of the Little Italy BIA does not meet the sufficiency benchmarks required by s. 210 (3) of the *Municipal Act, 2001*. Therefore, based upon the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1 to 3), as an expanded Little Italy Business Improvement Area, under Section 204 of the *Municipal Act, 2001*.

Conclusions:

The number of objecting petitions regarding the proposed expansion of the Little Italy BIA does not meet the sufficiency benchmarks required by s. 210 (3) of the *Municipal Act, 2001*. Based upon the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1 to 3), as an expanded Little Italy Business Improvement Area, under Section 204 of the *Municipal Act, 2001*.

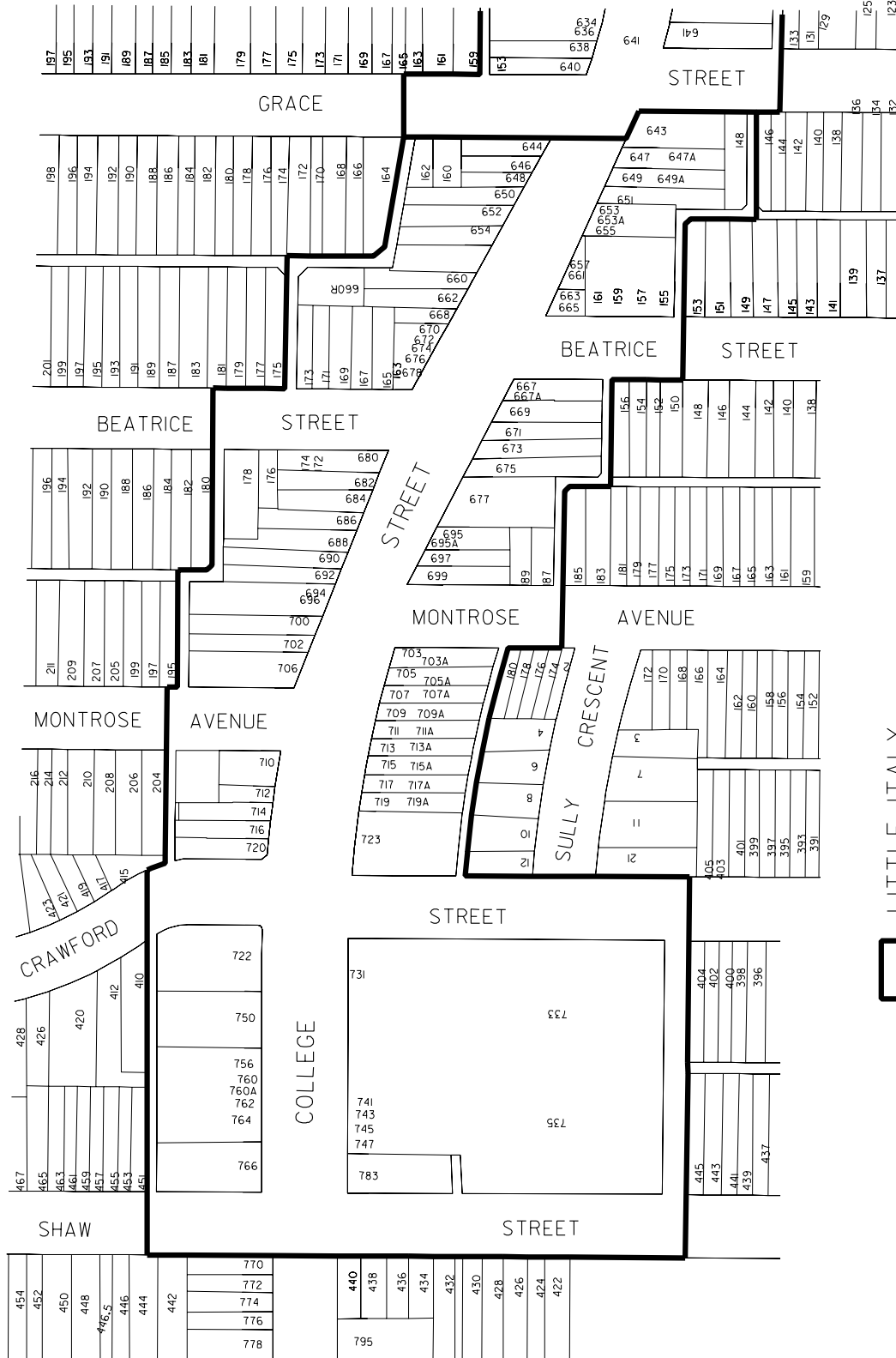
Contact:

Eva Pyatt, Director, Small Business & Local Partnerships
Tel: (416) 392-7183
Fax: (416) 392-1380
Email: epyatt@toronto.ca

List of Attachments:

Attachment No. 1 – Maps (1 to 3) of Proposed Little Italy BIA

(See Map 2)

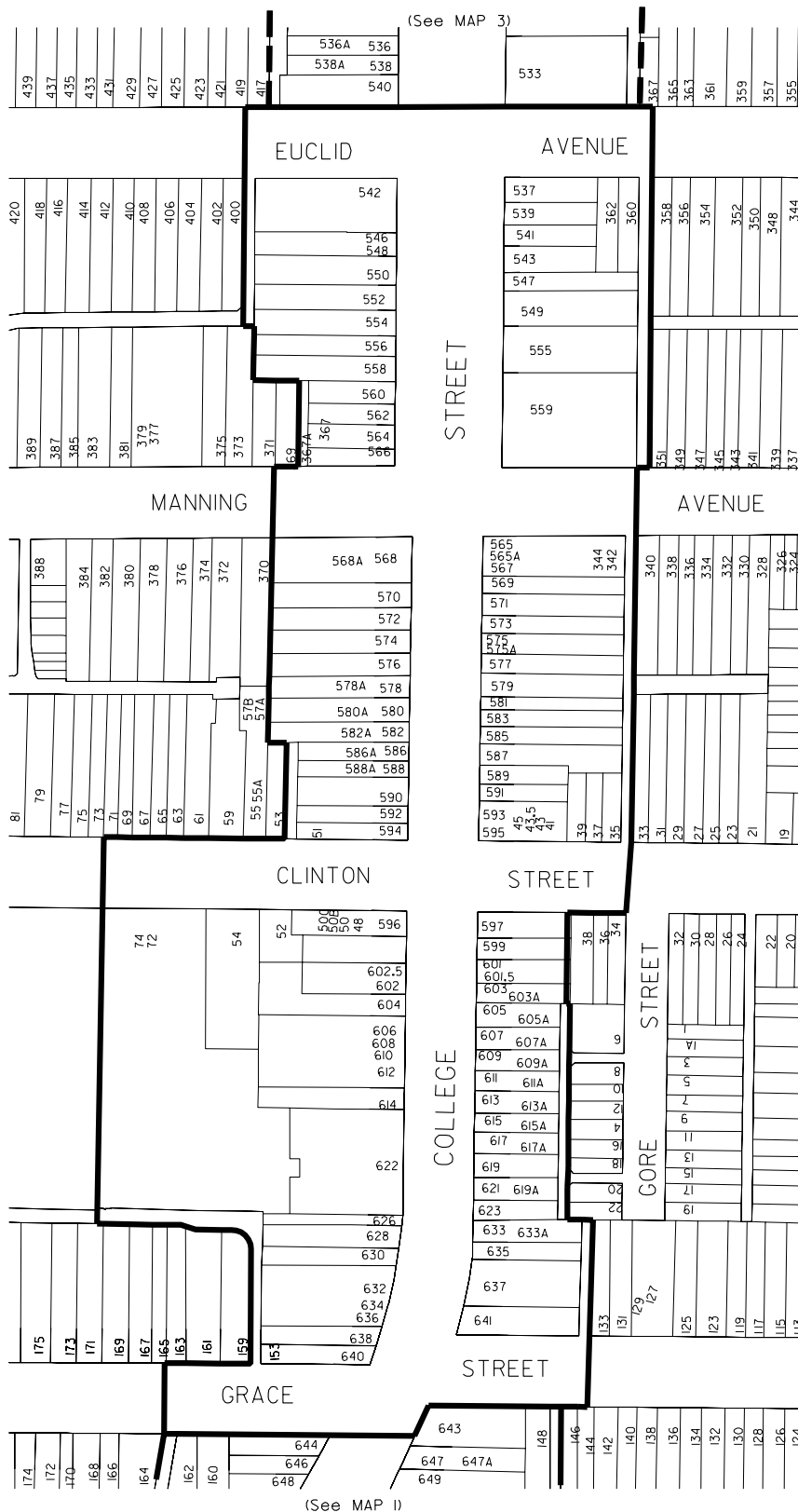


SURVEY AND MAPPING SERVICES
 TORONTO JUNE 2006
 P:\A067\LITTLEITALY_RPD.DGN
 FILE: 200609H-12, 49H-13,
 MAP NO. 49H-22, 49H-23

LITTLE ITALY
 BUSINESS IMPROVEMENT AREA



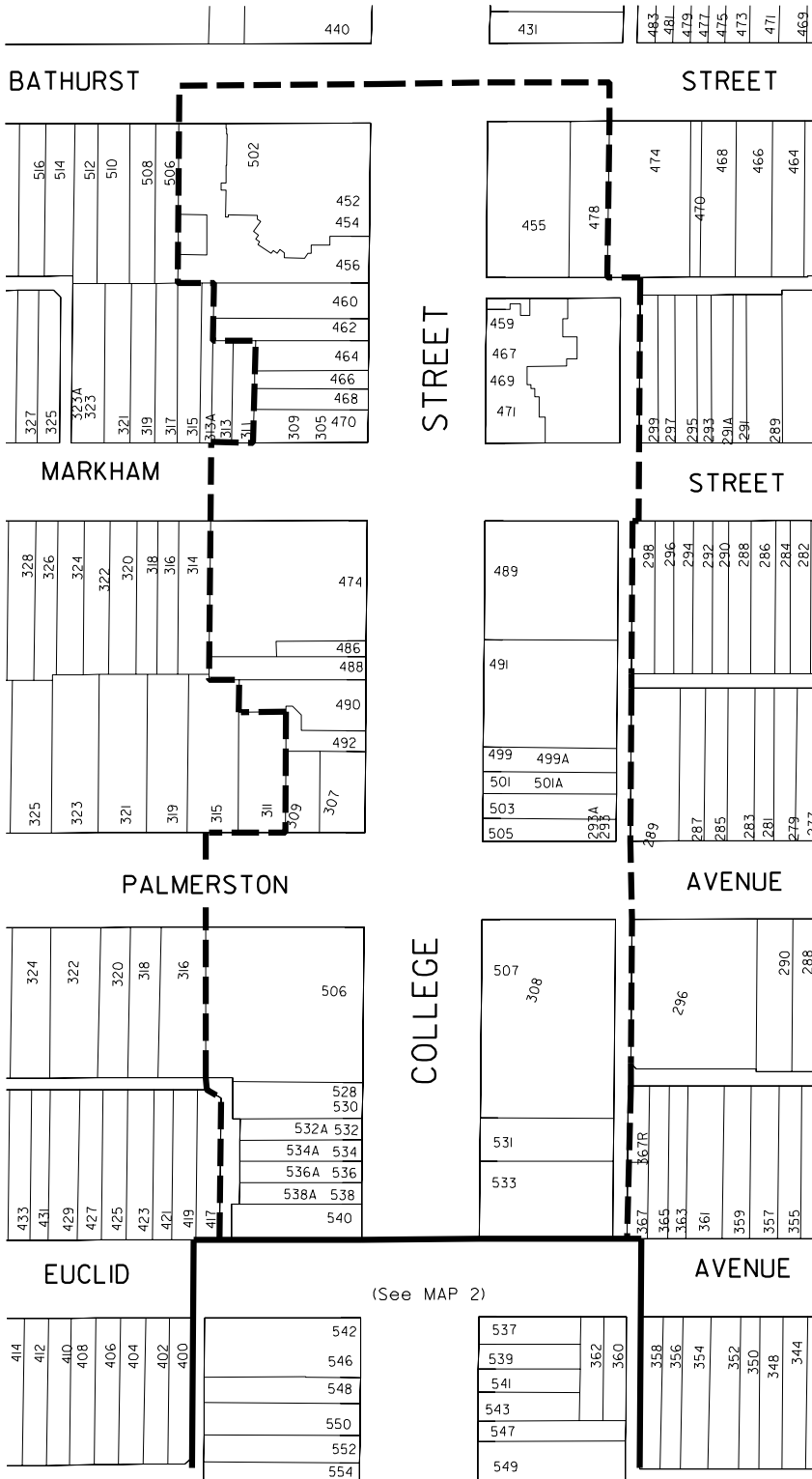
MAP 2 of 3



 LITTLE ITALY BUSINESS IMPROVEMENT AREA
 LITTLE ITALY PROPOSED EXPANSION

SURVEY AND MAPPING SERVICES
TORONTO
11A06/LITTLEITALY_RPT2.DGN
FILE: 205 DRAWN: WS
MAP NO. 49H-12, 49H-13,
49H-22, 49H-23





**LITTLE ITALY
BUSINESS IMPROVEMENT AREA**

**LITTLE ITALY
PROPOSED EXPANSION**

SURVEY AND MAPPING SERVICES
TORONTO JUNE 2006
B1A06/LITTLEITALY_RP13.DGN
FILE: 205 DRAWN: WS
MAP No. 49H-12, 49H-13,
49H-22, 49H-23



ATTACHMENT 7 [Notice of Motion J(10)]

Report (September 21, 2006) from the Deputy City Manager and Chief Financial Officer, entitled "Issuance of Debentures". (See Minute 12.128, Page 180):

Purpose:

This report requests that the necessary Bills be introduced in Council at its meeting on September 25, 2006, to give effect to the issuance of debentures of \$200 million that were syndicated in the domestic capital market on September 14, 2006.

Financial Implications and Impact Statement:

Debenture issuance in the Canadian domestic market of \$200 million is required to finance previously approved capital expenditures. The debt charges associated with this issue have been included in the City's 2006 corporate non-program operating budget and will be included in the 2007 budget on an annualized basis.

Recommendations:

It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on September 25, 2006, to give effect to the issuance of debentures as described in this report; and
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.

Background:

By-law No. 83-2006 was enacted by Council on February 2, 2006 and authorized the Mayor and the Deputy City Manager and Chief Financial Officer, acting in his capacity as treasurer appointed under the *Municipal Act, 2001* (the "Treasurer") to enter into agreements for the issuance and sale of debentures during the year 2006 to provide an aggregate amount not exceeding \$550,000,000 for purposes of the City and the former municipality of Metropolitan Toronto. Under the *City of Toronto Act, 1997 (No. 2)*, any such agreement must be reported to Council not later than the second regular meeting of Council after the agreement is signed and Council is required to pass all necessary money by-laws required to carry out the agreement.

Comments:

Acting in accordance with the Council authorities and the unanimous advice of our investment syndicate lead managers, RBC Dominion Securities Inc., CIBC World Markets Inc. and Scotia Capital Inc., negotiations were completed on September 14, 2006, for a public issuance of debentures in the Canadian domestic market.

This transaction is the City's second debenture issued in 2006 and received a solid reception in a stable bond market. Sinking fund debentures were issued in 2 tranches with a par value of \$100 million, a 5 year term-to-maturity and a coupon interest rate of 4.20% per annum with an overall financing cost of 4.376% and a par value of \$100 million, a 10 year term-to-maturity and a coupon interest rate of 4.50% per annum with an over financing cost of 4.625%.

Of the \$550 million borrowing authority approved by Council for 2006, the following summarizes the City's issuance to date:

<u>Issuance Date</u>	<u>Amount (millions) and Terms</u>
July 11, 2006	\$300 – 10 year sinking fund debentures - 4.96%
September 14, 2006	100 – 10 year sinking fund debentures - 4.62%
September 14, 2006	<u>100</u> – 5 year sinking fund debentures - 4.38%
Total Debt Issuance	<u>\$500</u>
Outstanding authority to issue on behalf of the Toronto District School Board	<u>\$ 50</u> - will not be required in 2006

The issue's term-to-maturities blends current capital market conditions with the matching of the economic life of various capital expenditures to their financing terms. The structure and pricing of the transaction achieved the lowest cost of funds available relative to other potential structures, markets and currencies as permitted by provincial legislation.

The capital projects for the 10 year debenture are predominantly for transit related projects. The 5 year debentures are to finance capital projects with shorter asset life for many programs with the majority related to police, solid waste management, facilities and real estate, parks, forestry and recreation, and transportation.

Delivery of the debentures and the receipt of proceeds will occur on September 27, 2006. The issue will be book-based with no physical certificates as were previous debenture issues. This process continues to generate savings for the City related to the printing, registration and distribution of the securities since The Canadian Depository for Securities Limited (CDS) administers the interest and principal payments to the debenture holders at no cost to the City.

Conclusion:

The City has issued \$200 million in debentures for settlement on September 27, 2006, as authorized under by-law No. 83-2006 as enacted by Council on February 2, 2006. As the capital projects to be financed with the proceeds of this issue were previously approved and are either completed or in the process of being completed, it is now appropriate to approve the issuance of debentures to permanently finance these undertakings, given current favourable capital market conditions.

Contact Names and Telephone Numbers:

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E-mail: mwillsch@toronto.ca

ATTACHMENT 8 [Notice of Motion J(17)]

Report (August 31, 2006) from the Director, Community Planning, North District, entitled "Final Report - Application for Draft Plan of Condominium and to modify the new Official Plan 06 106481 NNY 26 CD and 06 106496 OZ Applicant: Mainline Planning Services Architect: N/A, 1901 Bayview Avenue (Ward 26 - Don Valley West)". (See Minute 12.135, Page 193):

Purpose:

This report recommends approval of an application to modify the City of Toronto Official Plan to convert an existing, 36 unit equity co-operative, containing seven rented units, to a condominium at 1901 Bayview Avenue and approval of a Draft Plan of Condominium for the property, subject to conditions.

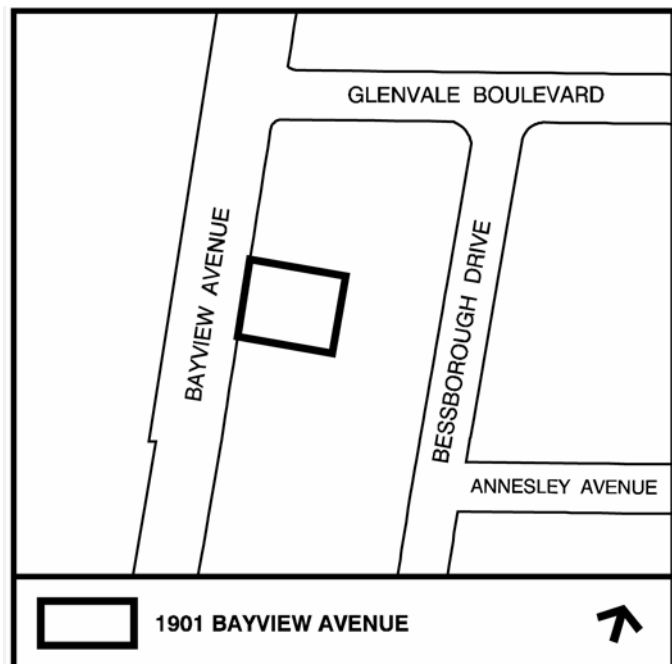
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 3;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan modification as may be required;
- (3) authorize Draft Approval of the Plan of Condominium for 1901 Bayview Avenue, date stamped as received on February 1, 2006 and that the Chief Planner is authorized to permit any red line revisions as deemed appropriate; and,
- (4) require the owner to fulfill



conditions of Draft Approval of the Plan of Condominium including the execution and satisfactory registration of any condominium agreements deemed necessary by the City Solicitor, prior to the City's consent for final registration and authorize the City Solicitor to prepare any necessary condominium agreement to secure the conditions, as the City Solicitor deems necessary as contained in Attachment No. 4.

Background:

Proposal

The existing residential apartment building at 1901 Bayview Avenue consists of 36 equity co-operative apartments of which seven units are currently rented to tenants. The applicant is seeking to convert the equity co-operative building to condominium which requires Draft Plan of Condominium approval. A modification to the City of Toronto Official Plan is required to permit the conversion of this equity co-operative building to condominium as it contains seven rental units. The applicant advises that one of the rented units will be occupied by the shareholder in October 2006 and a second unit will be occupied by the shareholder at the time of condominium conversion.

If the application is approved and the shareholders register the property as a condominium, each shareholder would own their own unit and a condominium corporation governed by the Condominium Act would be established to manage the property. The draft plan of condominium proposes that the existing configuration of the building be maintained. This consists of 4 bachelor, 24 one-bedroom and 8 two-bedroom units. The applicant advises that there are no improvements, repairs or changes to the building proposed to be undertaken in conjunction with the application.

Site History

The subject lands are developed with a four storey residential apartment building containing 36 units and underground parking.

The building was constructed in 1960 as a rental building. In 1981 it was converted to a co-ownership corporation which allowed residents to acquire beneficial ownership of common shares in the corporation. The shares entitled the shareholder to the exclusive use and occupancy of a unit. In 1993 the property was converted to an equity co-operative for property tax purposes.

The rates for the seven units that are currently rented range from \$650 (bachelor) to \$1,255 (2 bedroom) per month including utilities.

Site and Surrounding Area

The 0.12 hectare site is located on the east side of Bayview Avenue north of Eglinton Avenue and contains a four storey residential apartment building. Uses in the vicinity are described as follows:

North: low rise apartment building
South: low rise apartment building
East: low density residential neighbourhood
West: Bayview Avenue and Mount Hope Cemetery

Planning Act

Section 51(24) of the *Planning Act* sets out the criteria that the City must consider in determining whether to allow the conversion of a residential building to condominium.

Specifically, this section requires that:

In considering an application for condominium conversion, regard shall be had, among other matters, to the health, safety, convenience and welfare of the present and future inhabitants of the municipality and to:

- the effect of the proposed subdivision (condominium conversion) on matters of provincial interest
- whether the proposed subdivision (condominium conversion) is premature or in the public interest
- whether the proposed plan conforms to the official plan
- the suitability of the land for the purposes for which it is to be subdivided

Section 2 of the *Planning Act* requires that the council of a municipality shall have regard to matters of provincial interest such as the adequate provision of a full range of housing. This is expressed in the Provincial Policy Statement and includes the provision of an appropriate range of housing types and densities to meet the requirements of current and future residents, and the provision of housing in locations with appropriate levels of infrastructure and services.

Tenant Protection Act

Tenants in the seven rented units in 1901 Bayview Avenue are subject to the *Tenant Protection Act* (TPA) which sets out regulations governing security of tenure. In the case of equity co-operatives not all existing tenants have security tenure. Any tenant who now resides in an equity co-operative unit that was previously occupied by the current shareholder or his/her immediate family can be asked to leave.

Metroplan

The housing policies in Metroplan include the following objective:

“to ensure the availability across Metropolitan Toronto of an adequate supply and mix of housing to meet the full range of housing needs, and to attract and accommodate population growth.”

Policy 127 of Metroplan states:

“that Area Municipal Official Plans and zoning by-laws shall provide for a full range of housing types comprising a mix of unit sizes, styles, built forms and on-site facilities.”

Policy 125 of Metroplan states:

“to encourage investment in new private rental housing and the preservation and maintenance of existing housing and to support provincial and federal policies in this regard.”

Former East York Official Plan

Housing policies in the former Borough of East York Official Plan include:

Policy 2.5.1 states that it is a policy of this Plan:

- to provide additional housing units;
- to preserve and maintain the existing housing stock; and,
- to maximize the use of the Borough’s physical resources

all to maintain an adequate supply and a range of quality housing types to meet the needs of the existing and future residents of the Borough.

Policy 2.5.5 states that it is a policy of this Plan to promote policies that support the provision of private rental accommodation.

Policy 2.5.6 states that Council shall only support the conversion of private rental accommodation to condominiums, where the rental apartment vacancy rate is above 3.0% and where the conversion will not bring the rate below 3.0%.

Toronto Official Plan

On July 6, 2006, the Ontario Municipal Board issued an order to bring the majority of the City’s New Official Plan into force. However, it did not bring into effect the new Plan policies concerning Housing, Section 37 and floodplain Special Policy Areas. It is expected that the rental housing policies on conversion and demolition, as modified, may be brought

into force by the OMB this coming October. Until such time as the Board issues an order respecting the housing policies in the new Official Plan, the housing policies in the former Borough of East York remain in effect.

The Toronto Official Plan contains a number of policies respecting housing and the need to preserve and increase the City's supply of rental housing. Relevant policies include:

Policy 3.2.1.1:

A full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-range rental housing and ownership housing...

Policy 3.2.1.8, as modified by Council in December 2005:

The conversion to condominiumof any building or related group of buildings containing six or more rental units is premature and not in the public interest unless:

- all of the rental housing units have rents that exceed mid-range rents at the time of application, or
- the supply and availability of rental housing in the City has returned to a healthy state. This decision will be based on a number of factors:
 - rental housing in the City is showing positive, sustained improvement...
 - the rental apartment vacancy rate has been at or above 3.0% for the preceding four consecutive annual surveys
 - the proposal may negatively affect the supply of rental housing
 - all provisions of other applicable legislation and policies have been satisfied

The subject site is designated *Neighbourhoods* which provides for lower scale residential uses such as single detached, semi-detached, townhouses and walk up apartments.

Zoning

The site is zoned R3A under the Borough of East York Zoning By-law No. 1916 which permits apartment dwellings with a maximum height of 16 metres and a Floor Space Index of 1.25. Rezoning is not required to permit the proposed conversion of the residential apartment building to condominium.

Reasons for the Application

An application for conversion of a residential building to condominium is required under

Section 51 of the *Planning Act*. Section 51(24) sets out criteria, described above, that the City must consider in determining whether to allow the conversion of a residential building to condominium. A modification to the housing policies in the new City of Toronto Official Plan is required.

Community Consultation

A Community Consultation meeting was held on June 19, 2006 with approximately 15 residents in attendance. City Planning staff were in attendance and made presentations about the condominium approval process and protection for current tenants in the building. The local Councillor's representative was also in attendance. The questions were primarily about the condominium approval process and timing and it appeared that those in attendance were in support of the conversion of the equity co-operative to condominium.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application.

Comments:

Planning Act and Provincial Policy Statement

This proposal for conversion involves a relatively small number of rented units and only two of the units have security of tenure. As a result, this particular proposal would not contravene Section 51 the *Planning Act* in that it is not premature and will not impact negatively on the public interest. Similarly, the proposal does not contravene Section 2 of the *Planning Act* which requires that Council have regard to matters of provincial interest such as the adequate provision of a full range of housing. The proposal does not contravene the Provincial Policy Statement which promotes the provision of an appropriate range of housing types. The proposal conforms to the in-force former East York Official Plan and is a suitable use for the subject site.

Former East York Official Plan and Metroplan

Housing policies in the former East York Official Plan require that an adequate supply and range of quality housing types be maintained in order to meet the needs of existing and future residents. As well, the Plan promotes policies that support the provision of private rental accommodation.

This 36 unit equity co-operative building contains seven rented units. Staff have been advised that five of the seven units were previously occupied by current shareholders or their families, so only two of the existing tenancies cannot be terminated for personal use. Of these two tenancies, one shareholder will be occupying her unit in the future. Therefore, at present only one tenant has security of tenure under the TPA regulations governing equity co-operatives.

With respect to Metroplan, the proposal to convert the equity co-operative to condominium does not run counter to the intent of the housing policies in Metroplan.

City of Toronto Official Plan

As indicated earlier, the housing policies of the new Official Plan are not yet in effect, however, they are a relevant consideration as they represent Council's current position on housing. Policy 3.2.1.8 requires that a full range of housing be provided to meet the current and future needs of residents. The Official Plan policies, as modified by Council in December 2005 on conversion of rental housing require that the following provisions be met:

Threshold of Six or More Units

The City of Toronto Official Plan provides a threshold of six or more rental units above which a proposed conversion cannot be supported unless certain affordability and rental supply criteria can be met. The subject application contains seven rental units. Letters from the shareholders of two of the units, indicating their intention to have themselves or family members re-occupy the units have been provided. A modification to the Official Plan will be required on the basis that the current number of rental units exceeds the threshold by two units.

Rental Market

Under the criteria of the new Official Plan, which includes gains in the rental housing supply, availability to rental housing sub-sectors such as seniors, special needs and students and a vacancy rate threshold of 3.0% for four consecutive annual surveys, the rental housing market has not returned to a healthy state. A modification to the new Official Plan will be necessary.

Maintain Affordable Rents

Based on the information provided by the applicant, rents fall within the mid-range and affordable rent levels. In order to ensure the continued affordability of the rental units, a condition of condominium approval is included which does not permit the owner to pass on rent increases to existing tenants any costs associated with renovations or alterations or due to a change in the assessed value of the subject property (see Attachment No. 4).

Building Condition Report

Under Section 9(4) of the *Condominium Act*, the City may require a report prepared by a qualified professional to determine any deficiencies with respect to building maintenance or other matters of concern. Toronto Municipal Licensing and Standards indicates there are no work orders on 1901 Bayview Avenue. However, given the age of the building, it is recommended that a building condition report be prepared to enable first purchasers of the units, prior to finalizing their purchase, to have disclosure of the physical condition of the property and the implications of such condition for the reserve fund and future common expenses. These conditions reinforce the requirements for disclosure under the *Condominium Act*.

This report recommends that the City Solicitor be authorized to prepare any necessary condominium agreements which may be required to secure the conditions of condominium approval contained in Attachment No. 4. Included in the conditions is a requirement for a comprehensive reserve fund study with a physical analysis of building conditions component.

Tax Implications and Affordable Rents

The property currently falls under the residential tax class, so no reclassification would occur following conversion. Although the tax rate would remain the same in this case, the assessed value of the property would be expected to increase significantly as a result of conversion. This, by extension, could place upward pressure on the rents for the existing tenants and lead to an application under the Tenant Protection Act for an above guideline rent increase. To address this potential concern one of the conditions of condominium approval is that any increase in property taxes due to a change in the assessed value of the property will not be passed on to tenants.

Development Charges

Development charges are not applicable since no new construction is taking place.

Conclusions:

This proposal involves the conversion of an equity co-operative building containing 36 units to condominium. At present, seven of the units are rented, and only two of these units have security of tenure. The application meets the requirements of section 51(24) of the *Planning Act* and is consistent with Section 2 of the *Planning Act*, the Provincial Policy Statement and Metroplan. It is recommended that the new Official Plan be modified as described in this report.

Approval of the Draft Plan of Condominium is recommended subject to conditions including the preparation of a comprehensive reserve fund study and not passing on to existing tenants any increase in property taxes due to conversion or for any costs associated with renovation or alteration to the building associated with the conversion.

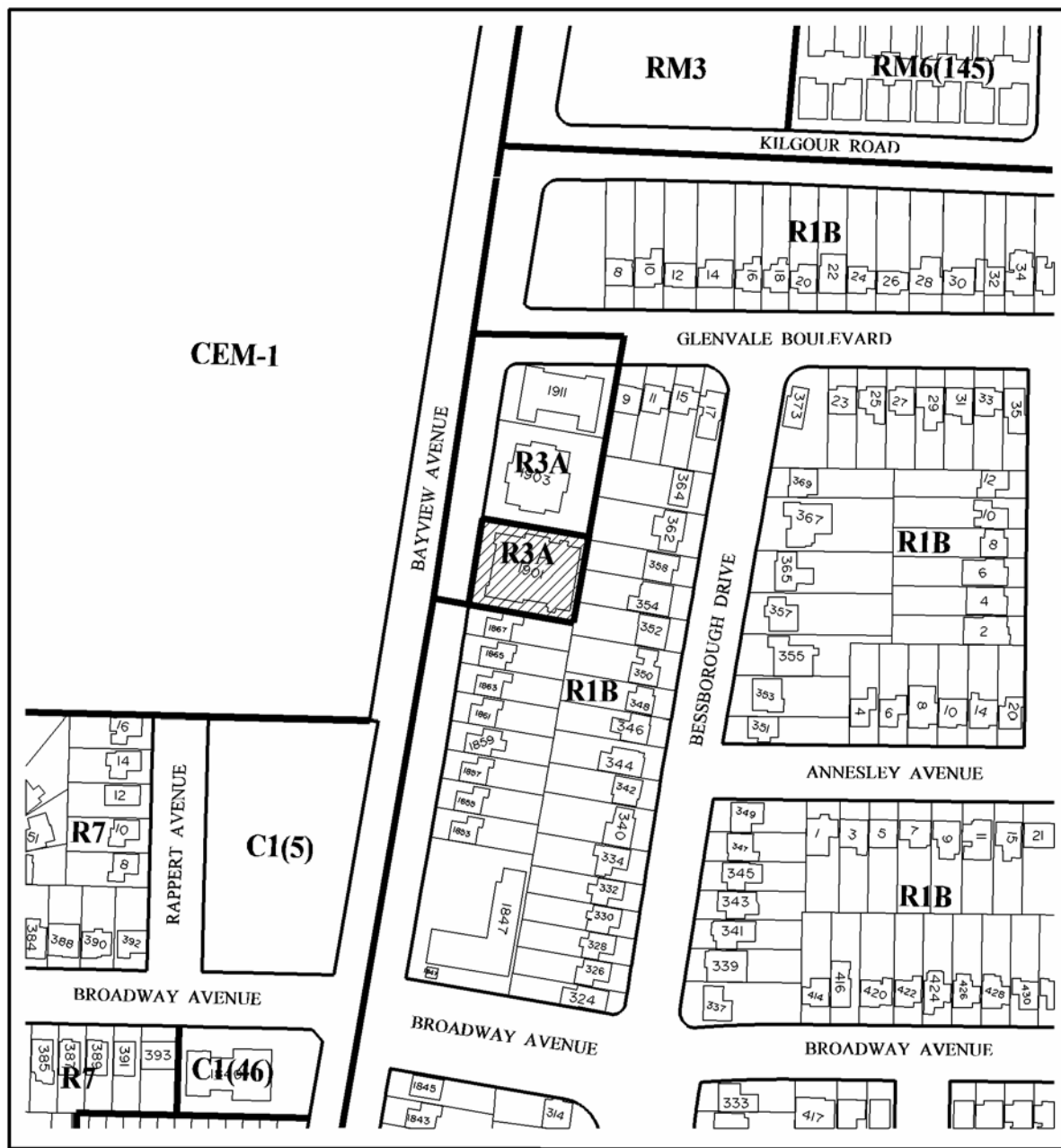
Contact:

Lynn Poole, Senior Planner
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Fax: (416) 395-7155
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List of Attachments:

Attachment 1: Zoning
Attachment 2: Application Data Sheet
Attachment 3: Modification to the City of Toronto Official Plan
Attachment 4: Conditions of Draft Approval of Condominium

Attachment 1: Zoning



Toronto City Planning Division
Zoning

1901 Bayview Avenue
 File # 06_106496

NORTH YORK ZONING CATEGORIES
 R7 One-Family Detached Dwelling Seventh Density Zone
 RM3 Multiple-Family Dwellings Third Density Zone
 RM6 Multiple-Family Dwellings Sixth Density Zone

C1 General Commercial Zone
 Cem-1 General Cemetery Zone

EAST YORK ZONING CATEGORIES
 R1B Low Density Residential
 R3A High Density Residential



Not to Scale

Extracted 03/21/06

Attachment 2: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Condominium Conversion	Application Number:	06 106481 NNY 26 CD
Details	Standard	Application Date:	February 1, 2006

Municipal Address: 1901 BAYVIEW AVE, TORONTO ON
 Location Description: PL 1908 Planning and Transportation LT53 PT LT52 **GRID N2601
 Project Description: conversion of existing building to condominium (36 units)

Applicant:	Agent:	Architect:	Owner:
MAINLINE PLANNING SERVICES	Same as applicant	n/a	499968 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Medium Density Res.	Site Specific Provision:	N
Zoning:	R3A	Historical Status:	N
Height Limit (m):	16 metres	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1252.6	Height:	Storeys:	4
Frontage (m):	32		Metres:	13.26
Depth (m):	39.3			
Total Ground Floor Area (sq. m):	689.6			Total
Total Residential GFA (sq. m):	2831.2		Parking Spaces:	20
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2831.2			
Lot Coverage Ratio (%):	55			
Floor Space Index:	2.26			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	4
1 Bedroom:	24
2 Bedroom:	8
3 + Bedroom:	0
Total Units:	36

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	2831.2	2831.2	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT:	PLANNER NAME:	Lynn Poole, Senior Planner
	TELEPHONE:	(416) 395-7136

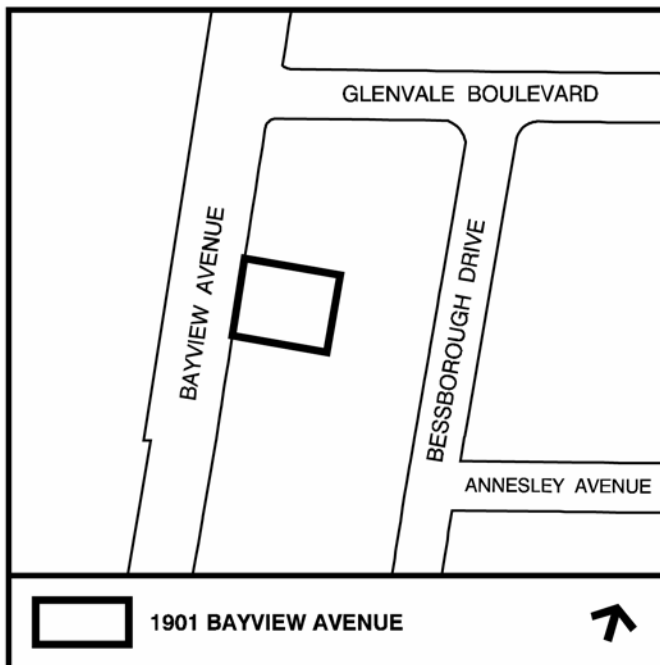
Attachment 3: Official Plan Modification

**PROPOSED MODIFICATION No. 91
TO THE CITY OF TORONTO OFFICIAL PLAN**

The Official Plan of the City of Toronto, Chapter 7, Site and Area Specific Policies is modified by adding the following:

Policy No. 291 1901 Bayview Avenue

- a) Conversion to condominium of an existing apartment building consisting of 36 residential units as of August 31, 2006, is permitted, provided that the condominium is registered within 3 years of draft approval.



Attachment No. 4

Conditions of Draft Approval of Condominium

- A. The plan of condominium (declaration and description) shall be registered within 3 years from the date that Council approves this Draft Plan of Condominium, otherwise the approval shall lapse and be of no further force and effect;
- B. Comprehensive Reserve Study
- (1) The declarant shall, at its own expense, carry out and complete a comprehensive reserve fund study, as defined in s. 27 of O. Reg 48/01 made under the Condominium Act, 1998 as a “comprehensive study”, prior to registration of the plans of condominium (declaration and description);
 - (2) The comprehensive study required in condition B(1) above shall be carried out in accordance with the requirements of the Condominium Act, 1998 and the regulations made thereunder, provided that the persons conducting the study shall in connection with the physical analysis, be a professional engineer registered as such and holding a certificate of authorization within the meaning of the *Professional Engineers Act*;
 - (3) In addition to the requirements under the regulations made under the *Condominium Act, 1998*:
 - (a) the financial analysis component of the comprehensive study shall include a simple, easily read table setting out, by unit type, the recommended average dollar amount of contributions to the reserve fund that will be required to be paid annually per unit to the reserve fund for each year covered by the study (not less than 30 years) based on the reserve fund required to be established by the declarant in accordance with condition D below. The table shall be in the form of the Cash Flow Table forming part of Form 15 of O. Reg. 48/01, as amended from time to time, made under the *Condominium Act, 1998*;
 - (b) the physical analysis component of the comprehensive study shall include, in addition to the component inventory and assessment of each item within the component inventory, a detailed list of:
 - (i) as necessary, the repairs and components to be replaced in order to bring the building into compliance with c. 629, Property Standards, of the City of Toronto Municipal Code; and
 - (ii) any other repairs and components to be replaced which, in the

opinion of the consultant(s) carrying out such study, should be completed by the declarant prior to registration of the plans of condominium (declaration and description) against the lands; and

- (c) in addition to their signatures, the persons conducting the comprehensive study in respect of the property shall include the following statement in the study:

“Notwithstanding that our fee for this study will be paid by the declarant, we have prepared this study for the declarant and the Condominium Corporations which will be created upon registration of the plans of condominium (the “Condominium Corporations”) and we acknowledge that this study will be turned over to the Board of Directors of the Condominium Corporations and they can rely upon this study and the opinions and findings expressed herein, and consent and agree to such reliance.”

- C. The declarant shall, prior to registration of the plans of condominium (declaration and description), at its own expense:
- (1) complete each of the repairs and replace each of the components set out on the lists compiled pursuant to conditions B(3)(b)(i), (ii) and (iii) above as detailed in the comprehensive study; and
 - (2) provide to the City of Toronto’s Chief Planner & Executive Director (“Chief Planner”) or designate a certificate from the persons carrying out the study confirming all of the repairs and replacements set out on the lists compiled pursuant to conditions B(3)(B)(i), (ii) and (iii) have been satisfactorily completed.
- D. The declarant shall, prior to registration of the plans of condominium (declaration and description), at its own expense, establish a reserve fund for the benefit of the condominium corporations to be created in an amount not less than the greater of:
- (1) the amount, if any, recommended in the comprehensive study required in condition B above; and
 - (2) the amount required pursuant to the Condominium Act, 1998, if any.
- E. The declarant shall provide a copy of the comprehensive study required in condition B(1) above, including the matters required in condition B(3) above, to the Chief Planner prior to the registration of the plans of condominium (declaration and description).

- F. The declarant shall, prior to the registration of the plans of condominium (declaration and description) provide its solicitors confirmation that the disclosure statement required to be delivered to every person who purchases a unit or a proposed unit pursuant to Section 72 of the Condominium Act, 1998, did in addition to the matters specified in such Act:
- (1) include a copy of the table required to be prepared in condition B(3)(a) above as updated and signed by the person who carried out the financial analysis component of the comprehensive study required in condition B(1) to:
 - (a) reflect the actual reserve fund established by the declarant pursuant to condition D above;
 - (b) describe the repairs/renovation work that must be completed by the declarant as a condition of registration; and
 - (c) take into account all repairs and renovations completed by the declarant which are set out on the lists compiled pursuant to conditions B(3)(b)(i), (ii) and (iii) above as detailed in the comprehensive study; and
 - (2) that such updated table be included in the statement required in condition B(3)(c) above.
- G. Upon presentation to the Chief Planner of a certificate from a professional engineer registered as such and holding a certificate of authorization within the meaning of the Professional Engineers Act stating that Conditions A, D, E and F have been satisfied and provided Conditions A, E and I have been satisfied, the plans may be registered.
- H. The declarant shall provide a tax certificate, which confirms that all municipal taxes have been paid in full.
- I. The declarant agrees not to pass on, in the form of rent increases to existing tenants, any costs associated with the renovations or alterations of the building or any increase in property taxes due to a change in the assessed value of the property identified in this application.

ATTACHMENT 9 [Notice of Motion J(18)]

Report (August 29, 2006) from the Director, Community Planning, North York District, entitled “Preliminary Report OPA & Rezoning Application 06 163756 NNY 23 OZ Applicant: Stephen F. Waque, Borden Ladner Gervais LLP Architect: Kirkor Architects & Planners 4759-4789 Yonge Street (Ward 23 - Willowdale)”. (See Minute 12.136, Page 195:

Purpose:

To provide preliminary information on the above-noted applications and to seek Community Council’s directions on further processing of the applications and on the community consultation process.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

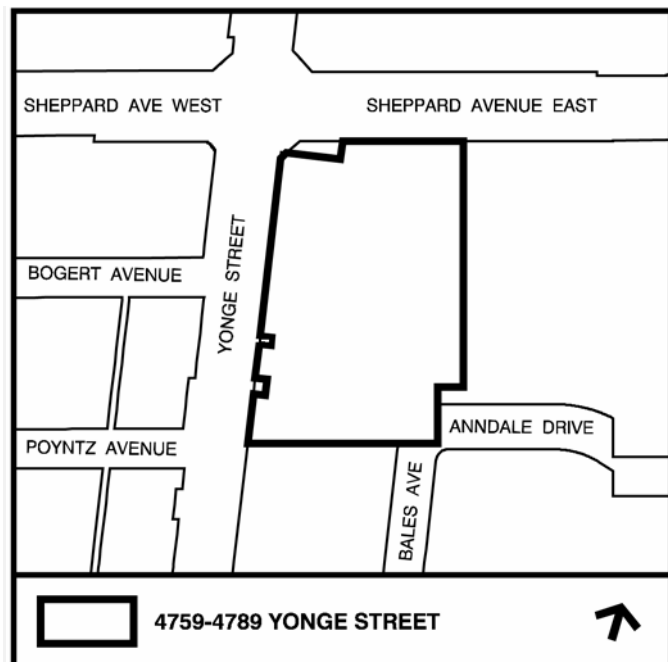
Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

Background:

In September 1996, City Council adopted OPA 393 that was subsequently approved by the Minister of Municipal Affairs.



In December 1998, the Minister of Municipal Affairs approved OPA 447 (North York Centre Secondary Plan), which redesignated the lands to Downtown Mixed-Use – 1 (DMU-1). The owner of the subject site appealed this Official Plan Amendment but a decision has yet to be made.

Since the new City of Toronto Official Plan also brings forward the North York Centre Secondary Plan, the owner has also appealed the new Official Plan. The OMB approved the majority of the new Official Plan on July 6, 2006, however no decision has been made with respect to the site specific appeal for these lands.

The North York Centre Secondary Plan as amended by OPA 393 for the southeast Downtown area and the policies specific to this site remain in force and effect, and Council's subsequently adopted policies that relate to this site have not yet been adjudicated upon.

Comments:

Proposal

An Official Plan Amendment and Zoning By-law Amendment application has been submitted to permit a high density mixed use development on the commercial plaza lands located at the southeast corner of Yonge Street and Sheppard Avenue East. The existing 'Willowdale' plaza on the site would be demolished.

The proposal consists of two tower buildings of 37 and 45 storeys, and a third low-rise block of 5 storeys.

The proposed development has a total gross floor area of approximately 90,849 sq.m. (977,887 sq.ft.). The total proposed commercial floor area of 25,967 sq.m. (279,504 sq.ft.) is made up of 19,226 sq.m. (206,945 sq.ft.) office and 6,741 sq.m. (72,559 sq.ft.) retail. The proposed residential use has a total floor area of 64,882 sq.m. (698,383 sq.ft.) containing 825 residential units. The total proposed floor space results in a density of approximately 6 times the area of the lot. The applicant is proposing that this density be achieved by providing Section 37 incentives such as street related retail uses, residential amenity area, and transportation improvements, including the conveyance of lands for a portion of the Service Road.

The proposal includes a publicly accessible 1,634 sq.m. (17,592 sq.ft.) 'Grand Plaza' located directly at the southeast corner of Yonge Street and Sheppard Avenue that connects to a raised 1-storey landscaped garden internal to the site.

The proposed 37-storey south tower includes retail and residential uses and is located at the southwest portion of the site and would have frontage on Yonge Street. The 5-storey low-rise block includes retail and residential uses and extends from the south tower up the Yonge Street frontage. The proposed 45-storey north tower includes retail, office and residential uses that front onto Sheppard Avenue at the northeast corner of the site.

Anndale Drive is to be extended westward to connect with Yonge Street and Poyntz Avenue. As indicated in the Downtown Plan South of Sheppard Avenue Environmental Study Report, lands for the new road extension are required along the length of the site's south property line. Access to the proposed residential uses would be at the southwest corner of the site and from this future Anndale Drive extension. Access to the retail and office parking/loading facilities is proposed at the northeast corner of the site onto the south side of Sheppard Avenue East. A total of 1,249 parking spaces are proposed consisting of 1,021 residential, 61 retail, and 167 office spaces.

The proposal includes new access to the TTC subway internal to the ground floor of each of the two towers.

As part of the approvals process, the applicant is also proposing to initiate a voluntary "Urban and Architecture Design peer review" process in consultation with the City.

The proposed site plan is included in Attachment 1, Elevations in Attachments 2a)-d), and the detailed site statistics are included in the Application Data Sheet in Attachment 5.

Site Description

The site is located at the southeast corner of Yonge Street and Sheppard Avenue and currently supports a commercial plaza and parking lot. The gross site area is approximately 15,179 square metres (1.5 hectares or 3.75 acres). The site has dimensions of approximately 100 metres on Sheppard Avenue East and 150 metres on the Yonge Street frontage. A stairwell to the TTC Sheppard Station is currently located at the southwest corner of the site and a TTC building is located at the southeast corner of Yonge and Sheppard.

The surrounding land uses are as follows:

- North: across Sheppard Avenue is the Sheppard Centre consisting of 9-storey and 19-storey office buildings with commercial retail at the base, 3-storey rental townhouses, and three 29-storey apartment buildings
- South: 15-storey Procter and Gamble office building and to the southeast is a new residential development consisting of two 23-storey apartment buildings and 3-storey townhouses
- East: 33-storey condominium apartment building along the Sheppard Avenue frontage; an application has been submitted to permit a 33 storey residential building fronting onto the future Anndale Drive extension
- West: across Yonge Street is a parking lot at the southwest corner of Yonge Street and Sheppard Avenue West, and further west is the 22-storey Nestle office building. The TTC Bus Terminal and Subway lands are located at the northwest corner of Yonge Street and Sheppard Avenue.

Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe

The new Provincial Policy Statement (PPS) that came into effect on March 1, 2005 requires municipal planning decisions to be consistent with the PPS. The PPS requires land use patterns that have a density and mix of uses that efficiently use infrastructure. The PPS also supports intensification and redevelopment through minimum targets in provincial plans such as the Growth Plan for the Greater Golden Horseshoe. The PPS also requires that municipalities promote economic development and competitiveness by, among other matters, providing an appropriate mix and range of employment to meet long-term needs, providing a range of suitable sites for employment uses, and planning for, protecting and preserving employment areas for current and future use.

Downtown North York Centre Secondary Plan (OPA 393)

Under the former City of North York Official Plan, Official Plan Amendment (OPA) 393 was adopted by North York Council in 1996 and, among other matters, expanded the boundary of the Downtown Plan to the south and east of Yonge and Sheppard and added policies respecting the nature of development in this area. This includes identifying the Yonge and Sheppard intersection as the focus of a significant commercial node for the downtown. The policy also indicates that street oriented commercial uses and other uses contributing to the animation of the street should be about the sidewalks on this site.

OPA 393 also established policies in the Downtown North York Centre Secondary Plan regarding the implementation of the Downtown Service Road south of Sheppard Avenue and east of Yonge Street. Site specific policy 3.14.21 provided guidance to implementing and operating the segment of the Downtown Service Road prior (or subsequent) to redevelopment of the site.

The Downtown Secondary Plan designates the lands as Mixed Use (MU) which includes the following permitted uses: mixed commercial, residential, hotel, open space recreational, institutional, entertainment and cultural uses.

The maximum permitted density is 1.5 times the area of the lands. Where Community Impact Criteria are met the Plan also allows for a maximum 4.5 times the area of the lot as shown on Map D.2.1. Community Impact Criteria includes such matters as traffic, shadowing, wind, pedestrian access, parking, and streetscape. The Secondary Plan also outlines Special Density Incentives that can be used to implement up to a one-third increase in density. Building heights are regulated in relation to the distance from stable residential areas.

OPA 393 is still in effect on the subject lands, as there are outstanding appeals on the policies in OPA 447 and the new Official Plan that apply to this site.

North York Centre Secondary Plan (OPA 447)

In 1997, the North York Council adopted OPA 447 which consolidated the Uptown and Downtown plans for the North York Centre. OPA 447 the lands are designated Downtown Mixed-Use – 1 (DMU-1). Among other matters, OPA 447 permits only non-residential uses on this site. OPA 447 provides for a density of 4.5 times the area of the lands, and though density incentives, an opportunity to achieve a maximum density of 6.0 times the land area.

OPA 447 also applied a height limit of 100 metres to the site and separated it from the 65 metre height limit to the south by the conceptual identification of the South Service Road extension to Anndale Drive.

OPA 447 was appealed by the owners of this site and the Minister of Municipal Affairs and Housing did not make a decision on this appeal.

New Toronto Official Plan

On July 6, 2006 the Ontario Municipal Board issued Order No. 1928 bringing the majority of the new Official Plan into full force and effect. The Order also repealed most of the policies of the City of North York Official Plan and Metro Plan that were previously in effect. However, the Order did not bring into force the new Plan policies related to Section 37, Housing and the flood plain "Special Policy Areas". Policies in the City of North York Official Plan and Metro Plan respecting these three policy areas remain in effect.

In addition, with respect to the subject lands, OMB Order No. 1928 brought into effect the parent plan policies that were approved in Chapters 1 to 5. However, due to the applicant's appeal of the new Plan, the OMB did not bring the North York Centre Secondary Plan policies of the new Plan into force for the subject lands. Therefore the Downtown Secondary Plan policies (OPA 393) also remain in force for these lands.

In the City of Toronto Official Plan, four key locations on the rapid transit system, have been shown as Centres (Map 2 in the Official Plan), which include North York Centre. The new Plan reinforces the important role Centres have in the management of the City's future growth.

The Centre policies in Section 2.2.2 provide direction to Secondary Plans that are to provide local goals and a development framework that implements the Official Plan. Among other matters, Secondary Plans are to:

- create transit based mixed-use Centres;
- create a positive climate for economic growth and commercial office development;
- encourage a full range of housing opportunities;
- include a strategy for parks and open space, community services and facilities;
- support the existing public investment in transit, infrastructure and other public service facilities and identify future needs to support population and employment growth;

- set out the location, mix and intensity of land uses; and
- protect adjacent Neighbourhoods from encroachment of larger scale development.

The North York Centre Secondary Plan has been carried forward under the new City of Toronto Official Plan. With respect to the subject lands, the OMB did not yet bring these secondary policies into full force and effect. The North York Centre Secondary Plan recognizes that the North York Centre is an important focus of transit-based employment and residential growth and that it has an important role in achieving the strategic growth objectives of the Official Plan, while protecting, preserving and enhancing existing Neighbourhoods outside the Centre.

The subject lands are located within the North York Centre South area of the Secondary Plan, which is intended to be a mixed use area, but with significant commercial nodes in the vicinity and between the Sheppard and North York stations on the Yonge Subway and Sheppard Subway.

Generally, the lands fronting along Yonge Street should contain substantial office buildings, or other commercial uses including retail and entertainment uses. Intensity, massing and height should be greatest in this area, relative to the rest of the North York Centre South.

The North York Centre South has been identified as the primary location for employment within the North York Centre. Generally, the North York Centre South will have higher densities and a greater concentration of commercial uses than the North York Centre North.

The lands are designated *Mixed-Use Area A* which permits only non-residential uses on the site. A height limit of 100 metres is permitted for the site.

With respect to Amendments to the North York Centre Secondary Plan, Section 1.13 of the Secondary Plan states that any general change in the boundaries, densities or heights of the North York Centre South or of the North York Centre North will be preceded by a comprehensive review of the Secondary Plan, or of a major portion of this Plan, taking into account the impact of the Sheppard Subway. Aside from such comprehensive reviews, substantial amendments to this Secondary Plan that may be proposed will normally be addressed by general, rather than site-specific, review.

Ad hoc, site-specific amendments that are not consistent with basic principles of the Secondary Plan or that create uncertainty will be discouraged.

As per Section 1.14 of the Secondary Plan, in considering proposed site-specific amendments to the Secondary Plan, the City will be satisfied that the proposed amendment is minor in nature and local in scope, and that it does not materially alter provisions of this Secondary Plan dealing with boundaries, land use, density, height or built form. However, the numeric limits contained in this Secondary Plan with respect to density, and the limits respecting height, will nonetheless be considered to be absolute.

In dealing with such site-specific amendments, the City will further be satisfied that the traffic certification requirements of this Secondary Plan are satisfied and that the amendments do not adversely impact stable residential areas.

The owner has also appealed the new Official Plan with respect to the North York Centre Secondary Plan policies for this site.

Zoning

The former City of North York Zoning By-law 7625 currently zones the site “C2” Zone – Local Shopping Centre, subject to site specific by-laws BL-8287 and BL-9645. The “C2” Zone permits all commercial uses in “C1” Zones, with the exception of hotels, motels, custom workshops, commercial bath houses, car rental agencies, funeral establishments, and car washing establishments. Additional permitted commercial uses include Shopping Centres and parking lots. The “C2” Zone does also permit certain institutional uses, however, residential uses are not listed as permitted uses.

Site Plan Control

The proposed development is subject to Site Plan Control Approval. A Site Plan Control Approval application has not yet been submitted.

Reasons for the Application

The rezoning application is required to permit residential uses and the proposed scale of development on the subject lands. As there are outstanding OMB appeals on these lands related to both the North York Centre Secondary Plan (OPA 447) and the new City of Toronto Official Plan, discussions with the applicant should confirm the applicable Official Plan policy context, and form the basis for assessing this application and resolving the OMB appeals.

Issues to be Resolved

The following issues and any other issues identified through the review process will need to be addressed and resolved:

- (a) conformity with applicable Official Plan and Secondary Plan policies;
- (b) consistency with the Provincial Policy Statement and conformity with the Growth Plan for the Greater Golden Horseshoe;
- (c) an assessment of the appropriate type and mix of land uses in this location in North York Centre and the implications for meeting broad economic and employment goals, including the employment target inserted in the Official Plan by the Minister of Municipal Affairs and Housing;

- (d) an assessment of the impact of the proposed land use mix in this location and on the role and function of North York Centre in the City and within the broader economic region;
- (e) an assessment of transportation issues including the adequacy of the local road network to accommodate traffic generated by the development; the City's progress in implementing the South Downtown Service Road; and integration of the proposal with pedestrian access to the Sheppard/Yonge subway station;
- (f) appropriate height, density and built form for this site including any resulting Section 37 agreement; and,
- (g) impact on community services and infrastructure.

Conclusions:

It is recommended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor to present the Official Plan Amendment and Zoning By-law Amendment applications. The issues indicated above, and any other issues identified through the review process will need to be resolved prior to presentation of a Final Report to Community Council.

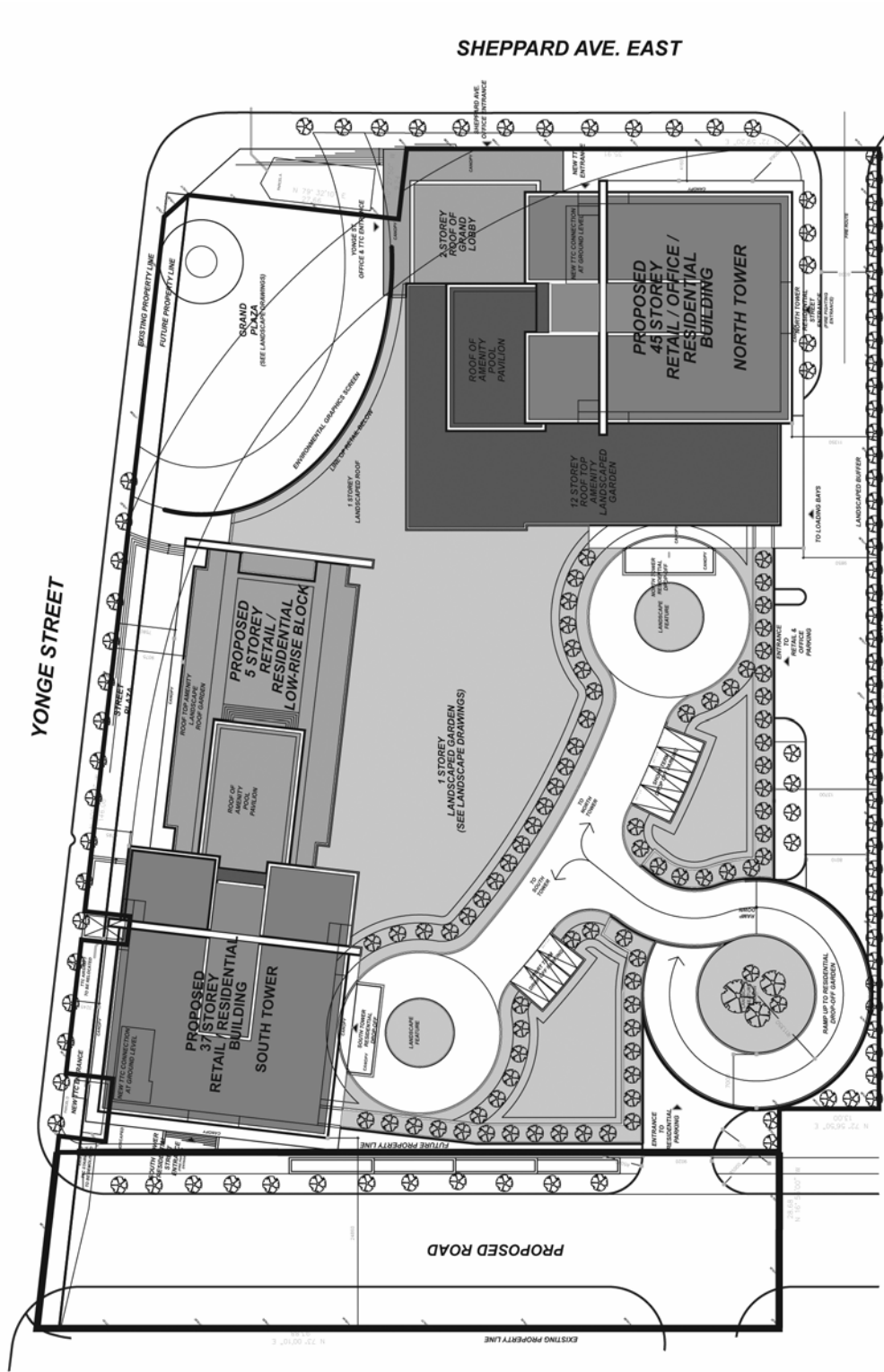
Contact:

Robert Gibson, Senior Planner
Ph: (416) 395-7059
Fax: (416) 395-7155
Email: rgibson@toronto.ca

List of Attachments:

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Official Plan
Attachment 4: Zoning
Application 5: Application Data Sheet

Attachment 1: Site Plan



4759-4789 Yonge Street

Site Plan

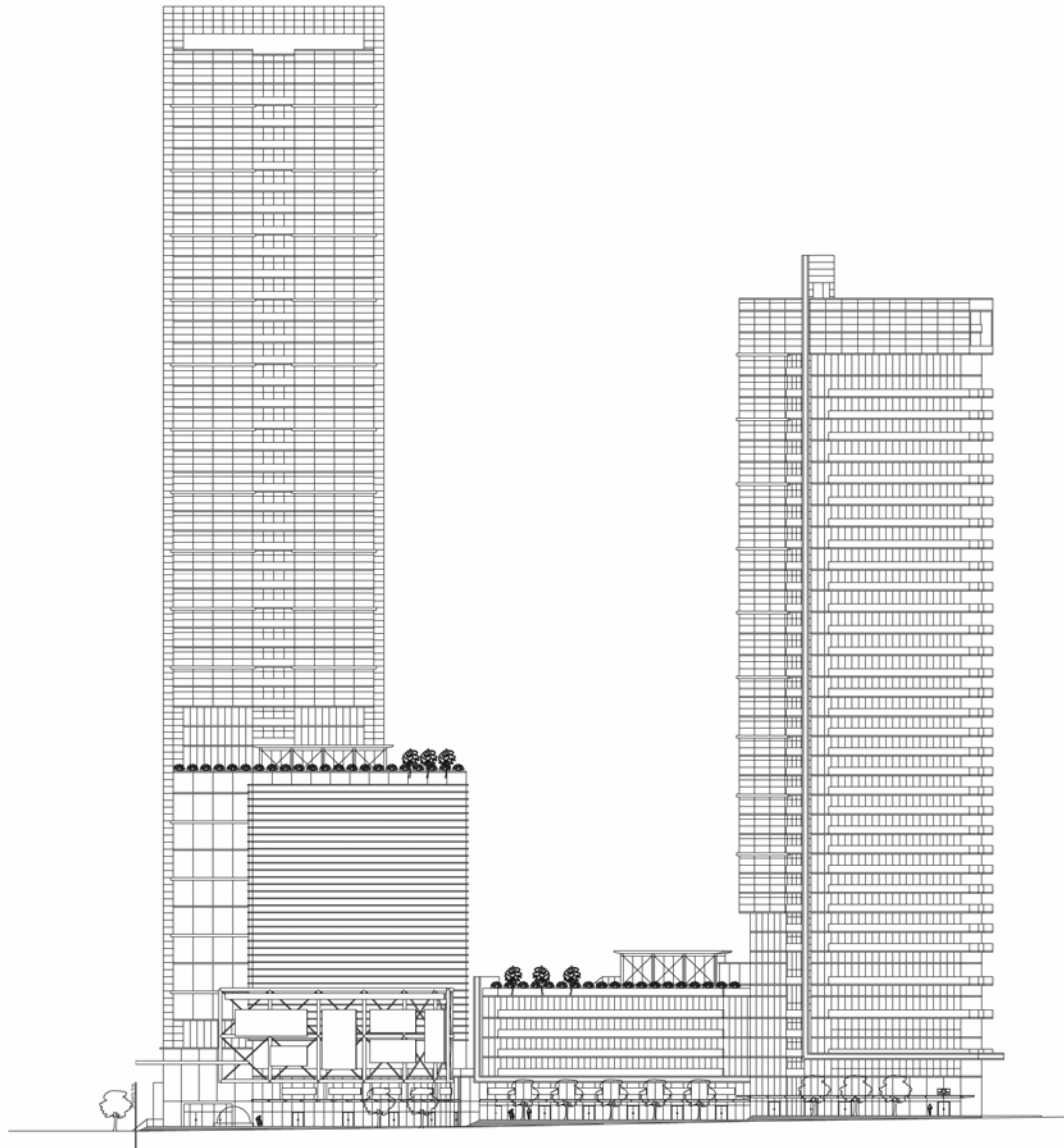
Applicant's Submitted Drawing

Not to Scale
08/22/06



File # 06_163756

Attachment 2a: West Elevation



West Elevation

Elevations

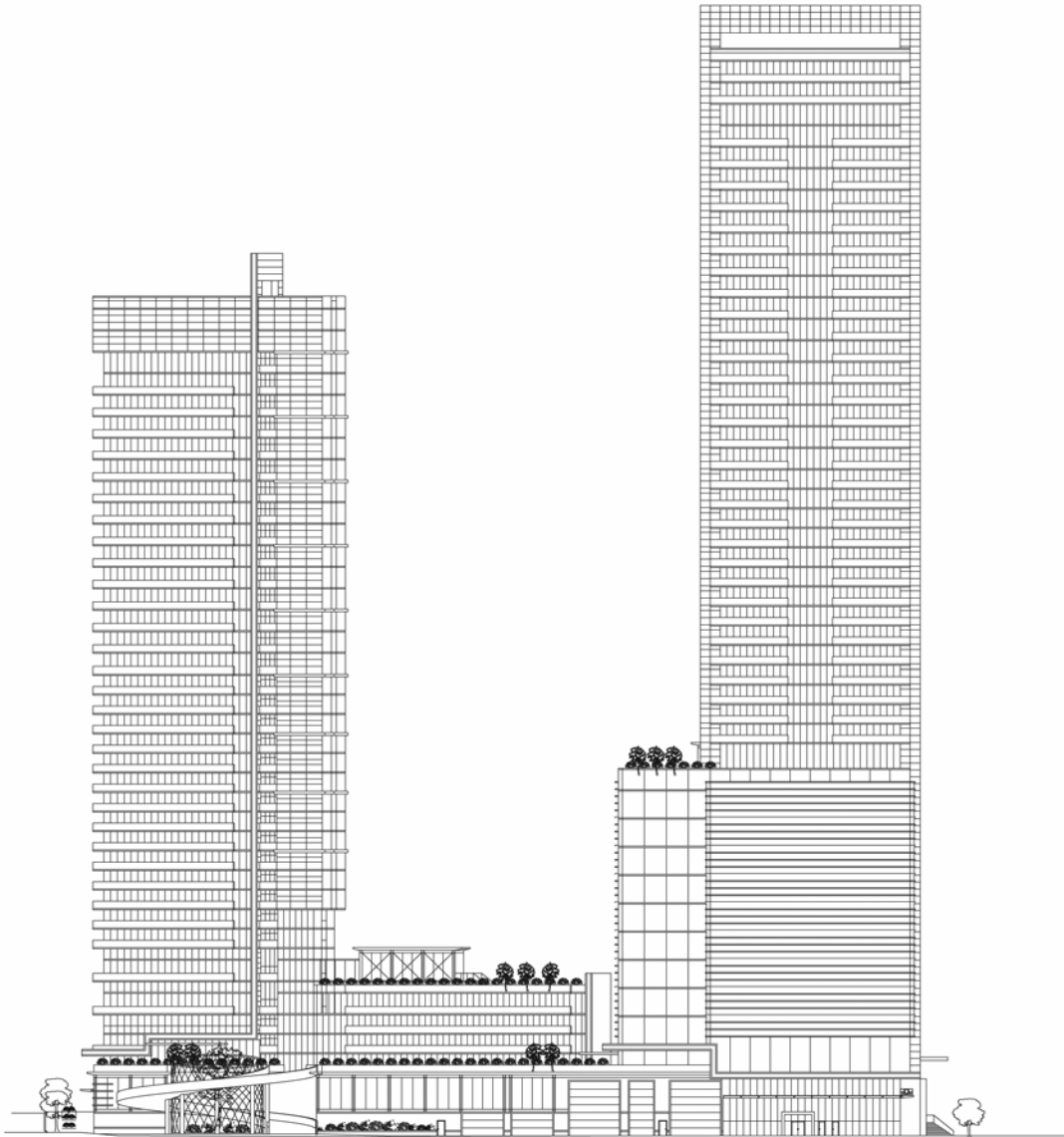
Applicant's Submitted Drawing

Not to Scale
08/22/06

4759-4789 Yonge Street

File # 06_163756

Attachment 2b: East Elevation



East Elevation

Elevations

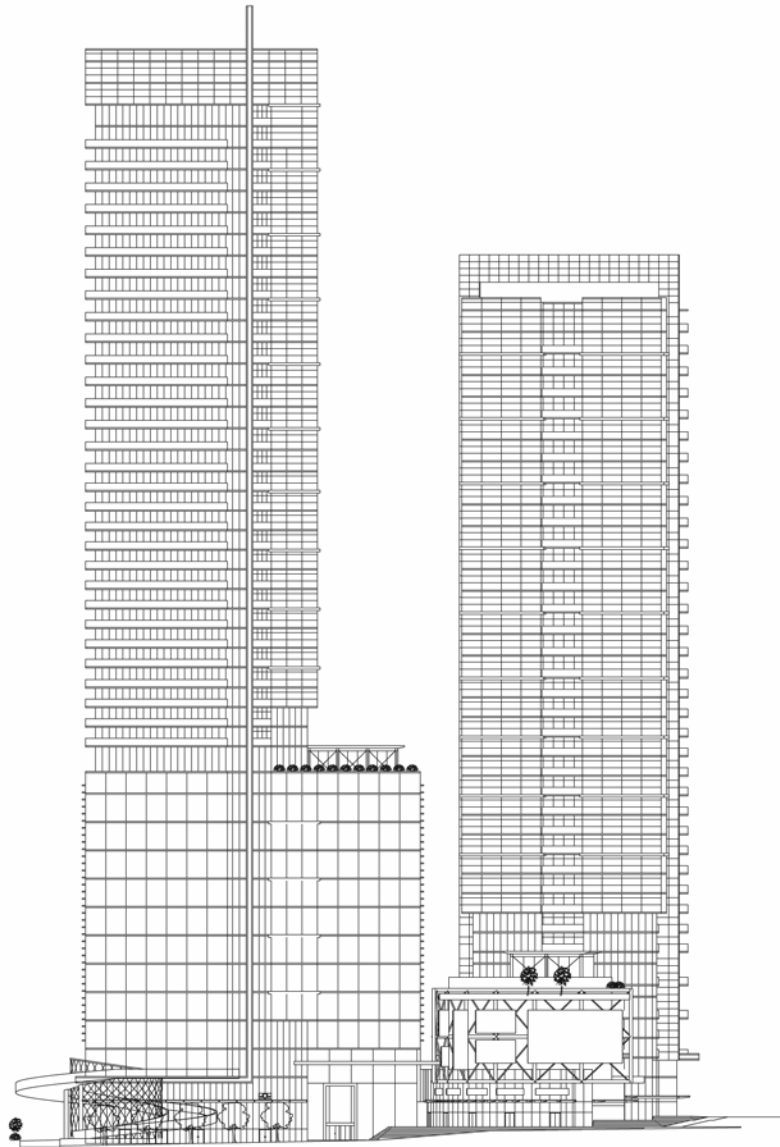
Applicant's Submitted Drawing

Not to Scale
08/22/06

4759-4789 Yonge Street

File # 06_163756

Attachment 2c: North Elevation



North Elevation

Elevations

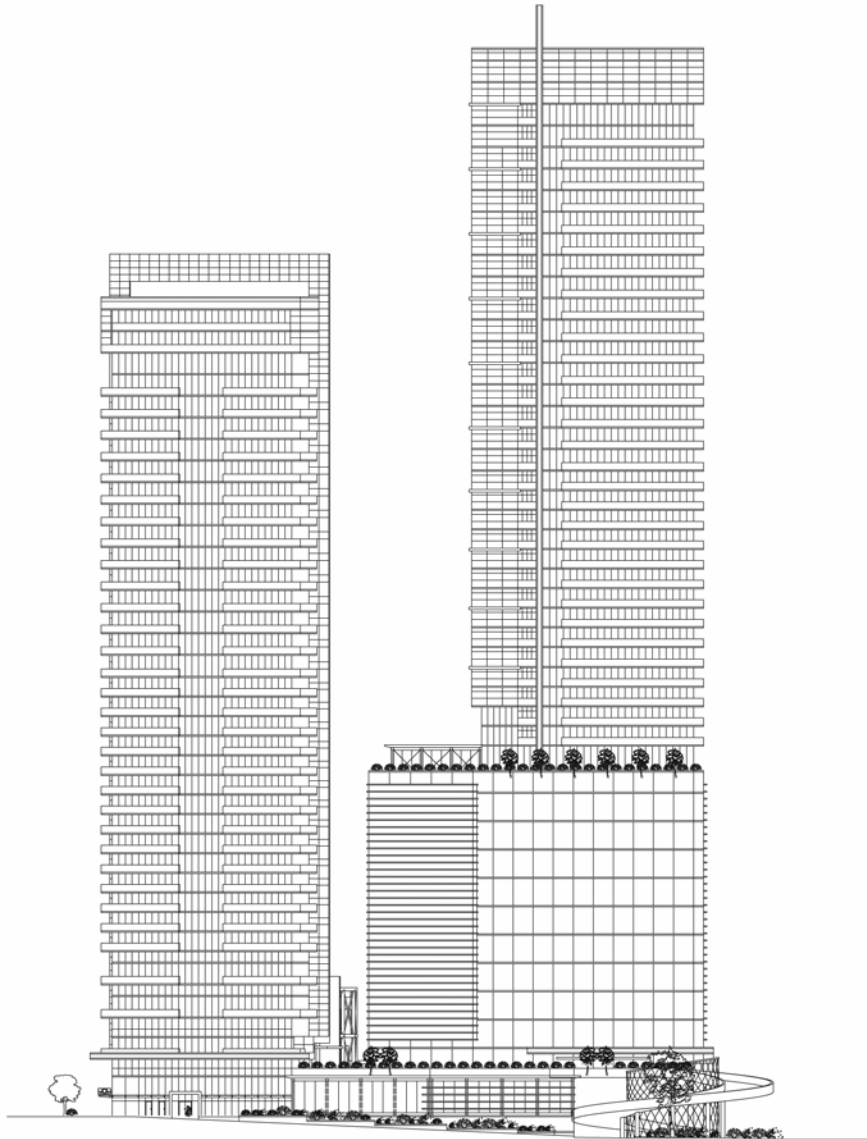
Applicant's Submitted Drawing

Not to Scale
08/22/06

4759-4789 Yonge Street

File # 06_163756

Attachment 2d: South Elevation



South Elevation

Elevations

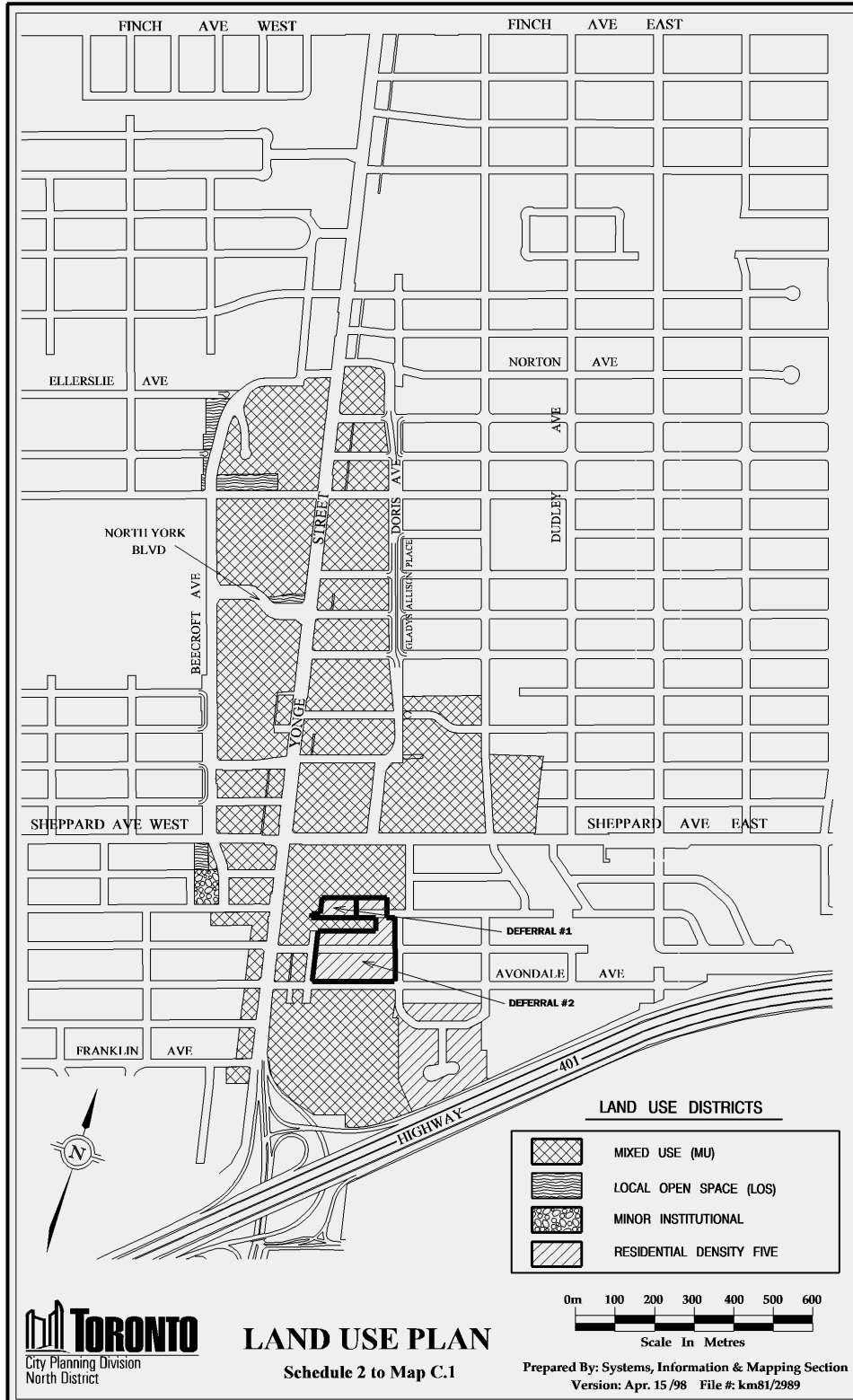
Applicant's Submitted Drawing

Not to Scale
08/22/06

4759-4789 Yonge Street

File # 06_163756

Attachment 3: North York Official Plan (OPA 393)
Schedule "6"
 (Amendment No. 393)



Attachment 4: Zoning



4759-4789 Yonge Street

File # 06_163756

- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- R7 One-Family Detached Dwelling Seventh Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

- C1 General Commercial Zone
- C2 Local Shopping Centre Zone
- C7 Mixed Use Commercial Zone
- O1 Open Space Zone

↑
 Not to Scale
 Zoning By-law 7625
 Extracted 08/21/06

**Attachment 5: Application Data Sheet
APPLICATION DATA SHEET**

Application Type	Official Plan Amendment & Rezoning	Application Number:	06 163756 NNY 23 OZ
Details	OPA & Rezoning, Standard	Application Date:	August 3, 2006

Municipal Address: 4759-4789 YONGE ST, TORONTO ON
 Location Description: PLAN 2090 PT BLK A **GRID N2306
 Project Description: THE HULLMARK CENTRE

Applicant:	Agent:	Architect:	Owner:
BORDEN LADNER GERVAIS LLP STEPHEN F. WAQUE	STEPHEN WAQUE	KIRKOR ARCHITECTS & PLANNERS	WILLOWDALE PLAZA HOLDINGS LIMITED

PLANNING CONTROLS

Official Plan Designation:	Mixed Use	Site Specific Provision:
Zoning:	C2	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	15179.4	Height:	Storeys:	5, 37, 45
Frontage (m):	145		Metres:	164
Depth (m):	90			
Total Ground Floor Area (sq. m):	8624.21			Total
Total Residential GFA (sq. m):	64881.9		Parking Spaces:	1249
Total Non-Residential GFA (sq. m):	25966.8		Loading Docks	5
Total GFA (sq. m):	90848.7			
Lot Coverage Ratio (%):	56.82			
Floor Space Index:	5.98			

DWELLING UNITS

Tenure Type: Condo
 Rooms:
 Bachelor:
 1 Bedroom:
 2 Bedroom:
 3 + Bedroom:
 Total Units: 825

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	64881.9	
Retail GFA (sq. m):	6740.96	
Office GFA (sq. m):	19225.84	
Industrial GFA (sq. m):	0	
Institutional/Other GFA (sq. m):	0	

CONTACT:	PLANNER NAME:	Rob Gibson, Senior Planner
	TELEPHONE:	(416) 395-7059

ATTACHMENT 10 [Notice of Motion J(19)]

Preliminary Report (September 6, 2006) from the Director, Community Planning, North York District, entitled “Preliminary Report OPA Application 05 210406 NNY 23 OZ Applicant: Menkes Gibson Square Inc. 5170 Yonge Street (Ward 23 - Willowdale)”. (See Minute 12.137, Page 197):

Purpose:

To provide preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application and on the community consultation process.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

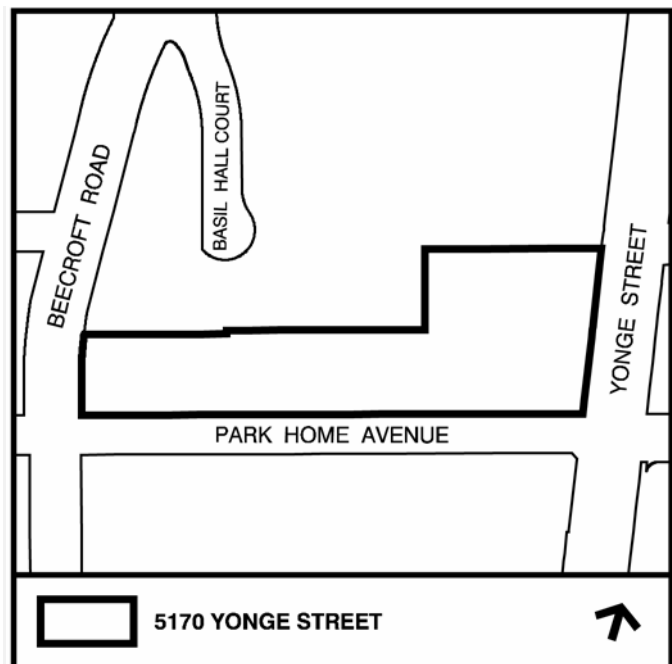
It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

Background:

On June 13, 1990, City Council of the former City of North York, approved Official Plan Amendment No. 326 and Zoning By-law 31237. The amendments covered the lands on the east side of the Becroft Extension and the lands fronting Park Home Avenue eastwards to Yonge Street, including the Gibson House property.

Generally, the purpose of the



amendments was to permit residential development, in the form of multiple family dwellings and an apartment building on the westerly portion of the site, and two commercial buildings on the easterly portion of the site, at the Yonge Street and Park Home intersection, while preserving the adjacent Gibson House and open space lands.

On February 20, 1992, the Ontario Municipal Board approved the site specific Official Plan Amendment (No. 326) and Zoning By-law Amendment (By-law 31237), with amendments. In addition to approving residential uses for the westerly portion of the site, a maximum 113,695 square metres of commercial floor area in two buildings was approved for the easterly portion of the site. Two commercial buildings of 27-storeys and 31-storeys in height were approved to be located on the immediate northwest corner of Yonge Street and Park Home Avenue. Of the total permitted commercial floor area, 63,701 square metres were a result of floor area transferred from roads, road widenings, local open space buffer lands, Gibson Park and the Gibson House lands.

Comments:

Proposal

On December 16, 2005, an Official Plan Amendment Application was submitted for the site. It was put on hold by the applicant on February 7, 2006, and was reactivated by the applicant on August 2, 2006.

The Official Plan Amendment application is proposing to permit flexibility for either residential or commercial uses on the easterly portion of the site. The applicant has indicated the proposal would be predominantly residential in nature, with retail and service commercial uses at grade to support an animated streetscape.

The applicant advises that at this time, they are seeking residential land use permission through their proposed Official Plan Amendment and have prepared four development scenarios that set out the direction they wish to pursue with their application. Two of which propose to relocate the Gibson House. Each scenario includes three 36-storey residential buildings on a commercial podium. In the future, they intend to apply for a related zoning amendment and site plan approval for the development. They are proposing an initial public consultation process on the subject Official Plan Amendment request, prior to developing detailed plans for subsequent rezoning and site plan applications.

Although detailed plans have not yet been submitted for the proposed development, the applicant has indicated that the proposed gross floor area of the project would be approximately the same floor area that was previously approved by the Ontario Municipal Board for commercial uses. Through a future zoning and site plan application, the allocation of density and land use mix on the site, the built form, and other planning and technical matters would be determined.

Based on the current permissions in the Secondary Plan, the maximum building height is

100 metres and the maximum density is 4.5 FSI, up to a maximum 6.0 FSI, including density incentives and transfers. A Site Specific Exception also applies to the subject lands as noted in the following Official Plan section of this report. This exception has been carried over from the previous approvals.

Site Description

The proposed development site is located at the northwest corner of Yonge Street and Park Home Avenue and extends to Beecroft Road on the west. According to the information provided by the applicant, the site has an area of approximately 16,579 square metres. Through the processing of the subject application, the applicant will be required to confirm the extent and limits of the subject application.

The site is currently developed with a parking lot and open space uses that include the privately owned and publicly accessible 'Rose Garden'.

Surrounding land uses are as follows:

North: one-storey commercial uses on Yonge Street, Yonge Hearts Child Care, Gibson Park, The Gibson House Museum, and a site containing two apartments buildings and a proposed third residential building of 18-storeys;

South: across Park Home Avenue is a commercial building ("City Centre"),

East: across Yonge Street are one and two storey commercial uses and a parking lot;

West: Beecroft Road and low density residential neighbourhood

Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe

The new Provincial Policy Statement (PPS) that came into effect on March 1, 2005 requires municipal planning decisions to be consistent with the PPS. The PPS requires land use patterns that have a density and mix of uses that efficiently use infrastructure. The PPS also supports intensification and redevelopment through minimum targets in provincial plans such as the Growth Plan for the Greater Golden Horseshoe. The PPS also requires that municipalities promote economic development and competitiveness by, among other matters, providing an appropriate mix and range of employment to meet long-term needs, providing a range of suitable sites for employment uses, and planning for, protecting and preserving employment areas for current and future use.

City of Toronto Official Plan

On July 6, 2006, the Ontario Municipal Board issued Order No. 1928 bringing the majority of the new Official Plan into force and effect. The Order did not bring into force the new Plan policies related to housing, Section 37 and floodplain “Special Policy Areas”, which remain under appeal. Until the appeal of these sections is resolved the policies of the predecessor plans are still applicable. All other policy maps and schedules contained within the former Official Plans are replaced.

In the City of Toronto Official Plan, four key locations on the rapid transit system, have been shown as Centres (Map 2 in the Official Plan), which include North York Centre. The new plan reinforces the important role Centres have in the management of the City’s future growth.

The Centre policies in Section 2.2.2 provide direction to Secondary Plans that are to provide local goals and development framework that implement the Official Plan. Among other matters, Secondary Plans are to:

- create transit based mixed-use Centres;
- create a positive climate for economic growth and commercial office development;
- encourage a full range of housing opportunities;
- include a strategy for parks and open space, community services and facilities;
- support the existing public investment in transit, infrastructure and other public service facilities and identify future needs to support population and employment growth;
- set out the location, mix and intensity of land uses; and
- protect adjacent Neighbourhoods from encroachment of larger scale development.

The North York Centre Secondary Plan recognizes that the North York Centre is an important focus of transit-based employment and residential growth and that it has an important role in achieving the strategic growth objectives of the Official Plan, while protecting, preserving and enhancing existing Neighbourhoods outside the Centre.

The subject lands are located within the North York Centre South area of the Secondary Plan, which is intended to be a mixed use area, but with significant commercial nodes in the vicinity and between the Sheppard and North York stations on the Yonge Subway and Sheppard Subway. Generally, the lands fronting along Yonge Street should contain substantial office buildings, or other commercial uses including retail and entertainment uses. Intensity, massing and height should be greatest in this area, relative to the rest of the North York Centre South.

The North York Centre South has been identified as the primary location for employment within the North York Centre. Generally, the North York Centre South will have higher densities and a greater concentration of commercial uses than the North York Centre North.

In the North York Centre Secondary Plan under the new Official Plan, the westerly portion of the site along the Park Home Avenue frontage is designated as *Parks and Open Space Areas*. The northwest corner of Yonge Street and Park Home Avenue is designated *Mixed Use Area A*. The permitted uses in the *Mixed Use Area A* include commercial, institutional, public parks and recreational uses and transit terminals. Residential uses are not permitted.

The maximum density for the site is 4.5 FSI, or a maximum of approximately 6.0 FSI, including any density incentives and transfers.

There is also a site specific policy that applies to the subject lands. Section 12.8 of the North York Centre Secondary Plan, which has been carried forward from the previous application on the property, is provided below:

- (a) The lands designated *Mixed Use Area A*, and *Parks and Open Space Areas* and are assigned a maximum density of 4.5 times the lot area in the Official Plan. To facilitate the establishment of the park, all of the density assigned to the *Parks and Open Space* lands will be transferred to the *Mixed Use Area* lands.
- (b) The *Parks and Open Space Areas* lands east of the North York Centre South Service Road will develop as a City park. The lands beneath the surface of the City Park may be used for an underground parking structure associated with the *Mixed Use Area* lands. The use of lands at grade will be limited to those uses permitted within a *Parks and Open Space Areas* designation and vehicle access to the below grade parking structure.
- (c) On the lands designated *Mixed Use Areas*, the floor area occupied by a privately-owned, publicly accessible indoor space (Tea Garden, Atrium and the Connection between the Tea Garden and Conservatory) to a maximum of 1,600 square metres, may be exempted from the calculation of gross floor area where it is determined that such exemption is necessary in order to provide an indoor pedestrian connection from Yonge Street to Gibson House and to enhance the presence of Gibson House in the North York Centre South.

As per Section 1.14 of the North York Secondary Plan, in considering proposed site-specific amendments to the Secondary Plan, the City will be satisfied that the proposed amendment is minor in nature and local in scope, and that it does not materially alter provisions of this Secondary Plan dealing with boundaries, land use, density, height or built form. However, the numeric limits contained in this Secondary Plan with respect to density, and the limits respecting height, will nonetheless be considered to be absolute.

In dealing with such site-specific amendments, the City will further be satisfied that the traffic certification requirements of the Secondary Plan are satisfied and that the amendments do not adversely impact stable residential areas.

Section 5.5.1, Heritage Policies of the North York Centre Secondary Plan, requires the

massing of proposed development in the vicinity of the Gibson House be complimentary, to the extent possible, to the Gibson House. Building design shall allow sunlight to penetrate to the front yard area of Gibson House, and to its south and east elevations; and a vista from Yonge Street to Gibson House.

Zoning

A site specific Zoning By-law Amendment has been approved by the Ontario Municipal Board zoning the subject lands C1 (General Commercial Zone) and O1 (Public Park Zone) under By-law 31237.

The proposed residential use does not respect the permissions in the Zoning By-law. In this regard, a Zoning By-law Amendment application will be required.

Site Plan Control

The proposed development is subject to Site Plan Control Approval. A Site Plan Control Approval application has not yet been submitted.

Tree Preservation/Public Open Space

The City currently has a lease for public open space over portions of the site, primarily along the Park Home Avenue frontage. Once the subject lands are developed, the public open space is intended to cover an underground parking garage to be built as part of the new development on the site.

There are a number of mature trees on the site, including on the leased public open space lands. Urban Forestry Services will have to review plans for the development to determine impact on these existing trees. The owner will be required to obtain the necessary permits prior to removing any trees having a diameter of thirty (30) centimeters or more measured at one and four-tenths (1.4) metres above ground level, pursuant to Tree Protection By-law No. 780-2004.

Reasons for the Application

Amendments to the North York Centre Secondary Plan are required to permit residential uses on the subject lands, as the current *Mixed Use Area – A* designation does not permit residential uses.

The applicant is requesting to redesignate the subject lands to *Mixed Use Area – C*, in order to permit a development consisting of both residential and non-residential uses.

Issues to be Resolved

The following issues, and any other issues identified through the review process, will need to be addressed and resolved.

- (a) conformity with Official Plan policies;
- (b) conformity with the North York Centre Secondary Plan policies;
- (c) consistency with the Provincial Policy Statement and conformity with the Growth Plan for the Greater Golden Horseshoe;
- (d) an assessment of the impact of the conversion of a large amount of non-residential gross floor area in North York Centre and the implications for meeting broad economic and employment goals, including the employment target inserted in the Official Plan by the Minister of Municipal Affairs and Housing;
- (e) an assessment of the impact of the land use change on the role and function of North York Centre in the City and within the broader economic region, including the reduction of commercial potential and the potential resulting transportation impacts;
- (f) appropriate height, density and built form for this site;
- (g) submission of detailed plans and development statistics of the proposed development for the site, including the related Zoning and Site Plan Control Approval applications;
- (h) confirmation of the extent and limits of the subject application;
- (i) impact of the development on the Gibson House property;
- (j) impact of the development on the leased public park lands fronting Park Home Avenue, including the mature trees;
- (k) impact of the development on the Rose Garden, located on private property, at the corner of Yonge Street and Park Home Avenue;
- (l) determination on the status of the existing Section 37 Agreement and any Section 37 requirements resulting from a change in use; and
- (m) impact on community services infrastructure of this unplanned residential development.

Conclusions:

It is recommended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor, to present the Official Plan Amendment application. The issues indicated above, and any other issues identified through the review process, will need to be resolved prior to presentation of a Final Report to Community Council. Additional community consultation meetings may be required should a Zoning By-law Amendment and Site Plan Application be submitted for the site.

Contact:

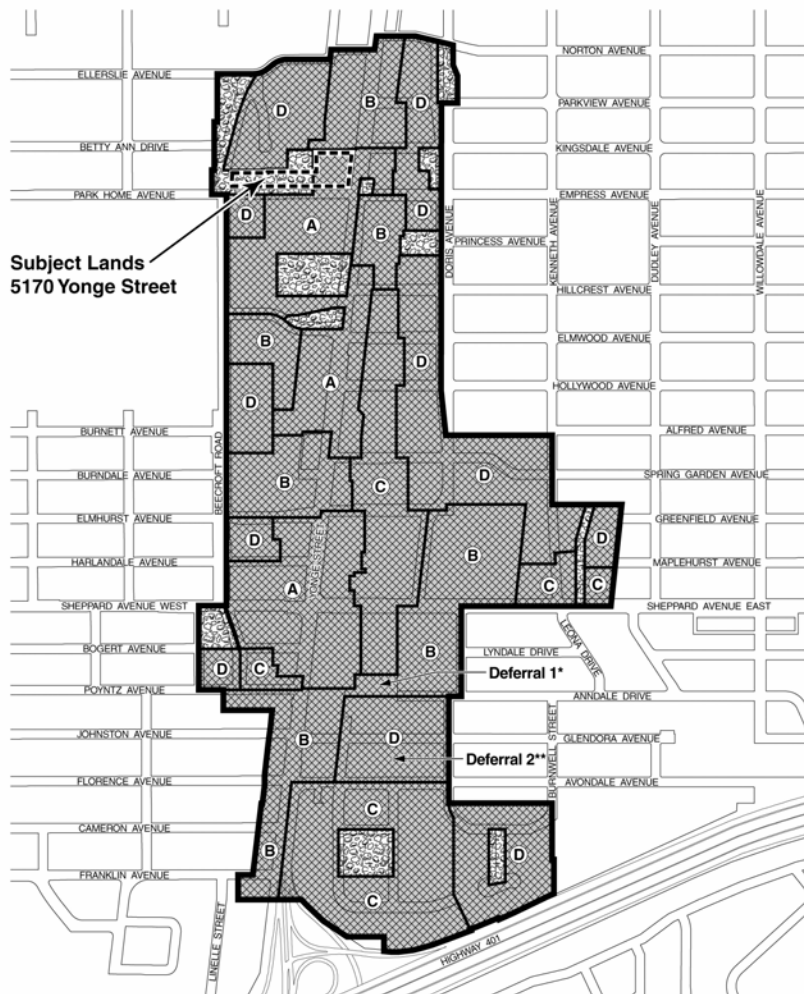
Mark Chlon, MCIP, RPP
Senior Planner, Community Planning,
North York District

Phone: 416 395 7137
Fax: 416 395 7155
Email: mchlون@toronto.ca

List of Attachments:

Attachment 1: Official Plan – North York Centre Secondary Plan
Attachment 2: Zoning
Application 3: Application Data Sheet

Attachment 1: Official Plan (Map)



North York Centre Secondary Plan

MAP 8-3 North York Centre South Land Use Areas

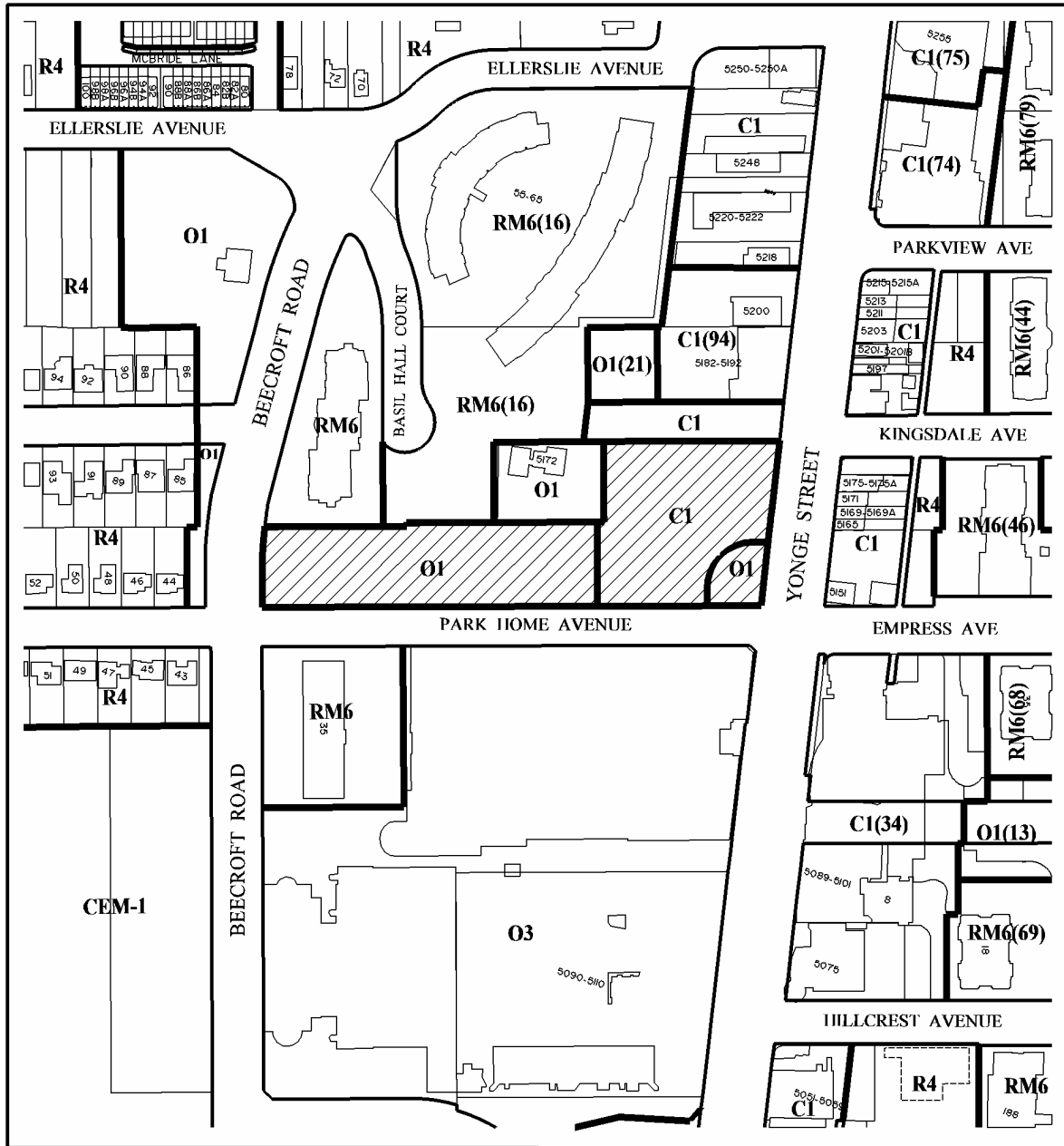
- Secondary Plan Boundary
- ▨ Mixed Use Areas
 - Area A - 0% Residential Use
 - Area B - Maximum 50% Residential Use
 - Area C - Maximum 100% Residential Use
 - Area D - Maximum 100% Residential Use
- ▨ Parks and Open Space Areas

*Deferral 1 No decision made by Ministry on lands identified as Deferral 1
 **Deferral 2 Lands identified as Deferral 2 have not yet received approval from the OMB



June 2006

Attachment 2: Zoning (Map)



5170 Yonge Street

File # 05_210406

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- C2 Local Shopping Centre Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category
- O1 Open Space Zone
- O3 Semi-Public Open Space Zone
- Cem-1 General Cemetery Zone



Not to Scale
Zoning By-law 7625
Extracted 01/12/06

Attachment 3 – Application Data Sheet

APPLICATION DATA SHEET

Application Type: Official Plan Amendment Application Number: 05 210406 NNY 23 OZ
 Details: OPA, Standard Application Date: December 16, 2005
 Reactivated on August 2, 2006

Municipal Address: 5170 YONGE ST, TORONTO ON
 Location: RP 66R16102 PARTS 1 TO 34 RP 64R12937 PARTS 37 TO 51 PARTS 54 TO 80
 Description: (EVEN NO'S) RP 66R16436 PART 1 **GRID N2302

Project Description: Official Plan Amendment Application to permit a development consisting of residential and non-residential uses. The development to have a total gross floor area of 113695 square metres.

Applicant:	Agent:	Architect:	Owner:
Mark Karam	Adam Brown Sherman, Brown, Dryer, Karol, Barristers & Solicitors		Menkes Gibson Square Inc.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area –A and Parks and Open Space Areas in the North York Centre Secondary Plan	Site Specific Provision:	Zoning By-law 31237 S.12.8 in North York Centre Secondary Plan
Zoning:	C1 & O1	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	16579	Height:	Storeys:	36 storeys
Frontage (m):	104.95		Metres:	100
Depth (m):				
Total Ground Floor Area (sq. m):				Total
Total Residential GFA (sq. m):	113695 (mix of residential and non-residential)	Parking Spaces:		
Total Non-Residential GFA (sq. m):		Loading Docks		
Total GFA (sq. m):	113695			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:		Above Grade	Below Grade
Rooms:	Residential/Comm GFA (sq. m):	113695	
Total Units:			

CONTACT: **PLANNER NAME:** **Mark Chlon, Senior Planner**
TELEPHONE: **(416) 395-7137**

ATTACHMENT 11 [Notice of Motion J(20)]

Report (September 22, 2006) from the Chief Planner and Executive Director, City Planning, entitled "Status Report - South District Application 06 174323 STE 22 TM Applicant: The Roehampton Corporation, Architect: Page & Steele Architects, 150 Roehampton Avenue (Ward 22 - St. Paul's)". (See Minute 12.138, Page 199):

Purpose:

Staff are requesting direction from Council to enter into a third party agreement to allow the transfer of \$130,000.00 in funds from a Section 37 Agreement (between the City and 150 Roehampton Inc.) deferred revenue account #220096 to the registered charity known as the Northern Secondary School Foundation (registered charity no. 87094 7264 RR0001). The terms and conditions for the use of the money are set out in Appendix A of this report.

Financial Implications and Impact Statement:

The City has received payment of a \$287,000 benefit secured through a Section 37 Agreement between the City and the developer of a new condominium currently under construction at 150 Roehampton Avenue.

This report is requesting that \$130,000.00 of those funds, all of which are currently held in a deferred revenue account, be used to assist in the funding of the "Field of Dreams" project at Northern Secondary School.

This report is also requesting that City Council authorize the preparation and execution of a third party agreement which will allow the transfer of the said funds from account #220096 to the Northern Secondary School Foundation to be used entirely for the capital funding of the refurbishment and the upgrading of the sports field at Northern Secondary School for school and the greater community use. No portion of the transferred funds shall be used to cover on-going maintenance or operating costs of the facility.

Recommendations:

It is recommended that:

- (1) the 2006 City Planning Operating Budget Account South District Community Planning – UR0001 be amended by increasing it by \$130,000.00 (gross) \$0 (net);
- (2) funds in the amount of \$130,000.00 be transferred to above noted account from Deferred Revenue Account #220096;

- (3) the City enter into a third party grant agreement with the Northern Secondary School Foundation for \$130,000 for use towards the 'Field of Dreams' project in accordance with the terms and conditions set out in Appendix A of this report; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

Section 37 Funding

On June 16, 2005, the Ontario Municipal Board issued its final order allowing the appeals of The Roehampton Corporation with respect to City Council's refusal to amend the Official Plan and Zoning By-law to permit the construction of a 16-storey residential condominium building at 150 Roehampton Avenue. The Board's approval was subject to the receipt of certain documents and including the owner's agreement with the City to provide for community benefits under Section 37 of the *Planning Act*.

The Section 37 Agreement, among other things, required the owner to pay \$287,000.00 to the City to be used for, "improving community services and facilities within the neighbourhood as deemed appropriate by the Commissioner of Urban Development Services (now the Chief Planner and Executive Director) in consultation with the Ward Councillor."

Field of Dreams Project

The "Field of Dreams" project is to refurbish and upgrade the playing field at Northern Secondary School located at 851 Mt Pleasant Road. Specifically, the natural turf on the sports field will be replaced by artificial turf, the fencing that currently surrounds the field will be removed so that it is accessible to neighbourhood residents and the use of the field will be extended by being partially covered for the winter months with a plastic bubble similar to tennis court covers.

The total cost of the project is approximately 1.75 million dollars. The project depends on funds raised by the Northern Secondary School Foundation from corporate sponsors, individual donors and other grants, and funds from the projected North Toronto Soccer Club leasing fees for a minimum 10 year lease and a contribution by the Toronto District School Board.

On-going operating and maintenance costs will not be drawn from the City's portion of the capital funding. Neither will the City share in the responsibility for same under the recommended third party grant agreement. The purpose of that agreement is to ensure that the funds are used in the manner set out in this report.

Comments:

Given that the location of the sports field is approximately 2 blocks from the 150 Roehampton Avenue construction site and given the purpose for which the Section 37 funds from that development have been provided to the City (improving community facilities and services within the neighbourhood), it is appropriate for \$130,000.00 of the money that has been received from this development be committed to the “Field of Dreams” project.

The refurbished and upgraded playing field will be used by the local community as follows:

- weekday school-hours use by Northern Secondary School programs for a school population of approximately 1,900 students;
- the North Toronto Soccer Club with its over 3,900 players and approximately 600 adult volunteers and others will have year round access to the field for specific days and hours under long-term lease arrangements with the Toronto District School Board;
- broader community use of the track and playing field when not in use for school programs or by the soccer club; and
- rental of the “bubble” facility by others in the community when not under lease or being used for school programs.

Conclusions:

The location of this project within proximity to 150 Roehampton (the Section 37 donor site) and the project’s intended user group of Northern Secondary School students, the North Toronto Soccer Club, neighbourhood residents and broader community residents, defines the “Field of Dreams” project as a “community facility improvement” that merits the allocation of Section 37 funds which were acquired through the Section 37 agreement with 150 Roehampton Inc. Staff are seeking authority to transfer \$130,000.00 in funds, obtained through Section 37 agreement, to the Northern Secondary School Foundation for the purposes set out in this report and specifically in Appendix 1 via a third party grant agreement.

Contact:

Tim Burkholder, Planner, Midtown
Ph: (416) 392-0412
Fax: (416) 392-1330
Email: tburk@toronto.ca

List of Attachments:

Appendix 1 – Third Party Agreement, Terms and Conditions
Appendix 2 – Context Map

Appendix 1

Terms and Conditions of the recommended third party grant agreement between the City of Toronto and the Northern Secondary School Foundation

(a) Statement of Purpose

To provide the Northern Secondary School Foundation with a grant of \$130,000.00 to be used to support the 'Field of Dreams' project.

(b) Transfer Policy

(i) Funds are to be used entirely as follows:

- in the refurbishment and upgrading of the sports field located at Northern Secondary School, 851 Mt Pleasant Road, and
- such refurbishment and upgrades include the replacement of natural turf with artificial turf and installing a bubble enclosure over part of the field during inclement weather months. No part of the funds are to be used for on-going maintenance or operating costs.

(ii) Funds will be conditional on:

- the existing fence being removed;
- the field being available for general neighbourhood use during non-school hours and when it is not under contract to other groups, and
- the field enclosure is to be available for rent to local residents or community groups.

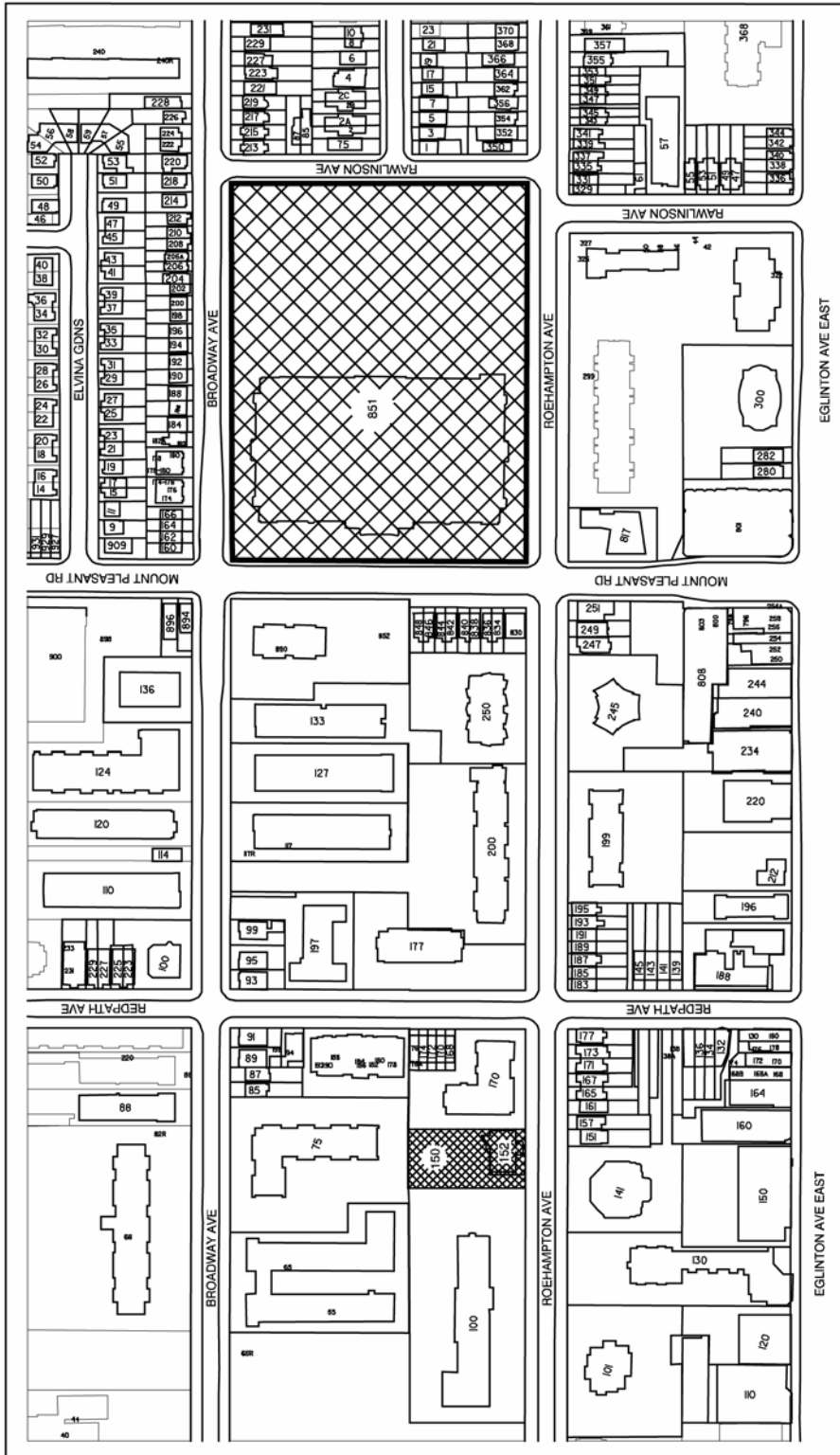
(c) Timing

(i) Funds will be transferred to the Northern Secondary School Foundation:

- upon the establishment of a construction start date for the project and written proof is provided to the satisfaction of the City Solicitor that a contract for the 'bubble' structure has been let.

(ii) Funds will be transferred within 3 years from the execution of the third party grant agreement, in accordance with the preceding paragraph (i) or will be used by the City for another purpose consistent with the Section 37 agreement.

Appendix 2



150 & 152 Roehampton Avenue & 851 Mt Pleasant Road
File # 06_174323

Toronto City Planning Division
Context Map



Not to Scale
Zoning By-law 438-86 as amended
Extracted MO/DA/YR - DR

ATTACHMENT 12 [Notice of Motion J(34)]

Report (September 19, 2006) from the Integrity Commissioner, entitled “Report on Hiring of Relatives of Members of Council in Council Offices”. (See Minute 12.152, Page 226):

Purpose:

To respond to a Council request that the Integrity Commissioner report on whether Council Office Staff whose relatives are elected to Council should be permitted to continue their employment.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that Council amend its June 7, 8 and 9, 2000 policy on Council Support Staff by adding the following subclause:

- “(4) this policy does not affect the continued employment of Council Office Support Staff in the following circumstances:
 - (i) where a member of a Councillor’s staff becomes a relative of the Mayor or another member of Council as a result of election, appointment or marriage; or
 - (ii) where a member of the Mayor’s staff becomes a relative of a member of Council as a result of election, appointment or marriage.”

Background:

At its meeting of June 7, 8, and 9, 2000, City Council adopted the following policy on Council Office Support Staff:

- (1) no employment of relatives of Members’ of Council shall be permitted within Councillors’ offices and the Mayor’s offices;
- (2) relatives, for the purposes of this policy, shall be defined as:
 - (i) spouse, including common law and same sex spouse;
 - (ii) parent, including step-parent and legal guardian;
 - (iii) child, including step-child;
 - (iv) sibling; and
 - (v) any person who lives with the employee on a regular basis; and

- (3) implementation of this policy shall take effect with the new term of City Council, on December 1, 2000.

At its meeting of June 27, 28, and 29, 2006, Council had before it a motion that called for an amendment to this policy which would exempt from its operation a member of Council Office Support Staff whose relative became a member of Council. It was proposed that any member of Council Office Support Staff in this position be allowed to continue employment with the existing Councillor to the end of the new Council's term.

Councillor requested the Integrity Commissioner to consider the implications of this "policy change" and report directly to Council for its meeting of July 25, 2006.

In response to this reference, I sought the views of members of Council, consulted with the Executive Director of Human Resources, and requested the City Solicitor to provide me with an opinion on whether the existing policy required termination of a member of Council Office Support Staff in these circumstances.

Those members of Council responding to my request for comment were divided on the issue though there were insufficient responses to enable me to express any view as to the overall position of members of Council. The Executive Director of Human Resources was of the opinion that the policy should not affect a person already employed as a member of Council Office Support Staff should a relative be elected to Council. In the event that it does so, Council should either change the policy generally or provide for the possibility of exemptions. The City Solicitor's opinion was to the effect that Council, in adopting the June 2000 policy, did not intend that it require the termination of the employment of a member of Council Office Support Staff who became a relative (either because of election, appointment or marriage) of a member of Council after hiring. It applies to prevent the initial hiring by a member of Council of a relative in his or her offices or the continuation of employment in the offices of a member of Council should the staff member become a relative of that member of Council.¹ The City Solicitor also provided the opinion that that interpretation was consistent with the provisions of the *Ontario Human Rights Code*.

Comments:

The motion that Council referred to me for comment called for a change in policy to allow the continued employment of a member of Council Office Support Staff should a relative of that staff member become a member of Council.

1 In the latter situation, transfer or redeployment (rather than termination) is the preferred option.

On the basis of the City Solicitor's opinion, a change in policy is not required to achieve that objective. The current policy does not require termination in those circumstances. The person is eligible for continued employment in the offices of a member of Council who is not her or his relative. Indeed, were the policy to provide otherwise, it could well amount to a violation of the *Ontario Human Rights Code*.

Given that advice, I am of the view that the motion that Council referred to me for comment is unnecessary. It would also be unwise to court a potential Human Rights complaint by changing the policy to achieve the opposite result – a requirement that employment cease in those circumstances.

Conclusions:

The motion calling for a change in policy on the continued employment of Council Office Support Staff members who become relatives of another member of Council or the Mayor as a result of election (or appointment or marriage, for that matter) is not needed. According to the opinion of the City Solicitor, the current policy does not permit termination for that reason. Out of an abundance of caution, it would be prudent to make that clear on the face of the existing policy.

Contact:

David Mullan
Integrity Commissioner
Tel: 416-397-7770/Fax: 416-392-3840
Email: dmullan@toronto.ca

ATTACHMENT 13 [Notice of Motion J(35)]

Report (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clause IV of the Code of Conduct by using City resources in the conduct of a private business (1)”. (See Minute 12.153, Page 227):

Purpose:

To report on a complaint by a candidate² in the upcoming City of Toronto municipal elections complained that Councillor Howard Moscoe violated Clause IV (“Use of City Property, Services and Other Resources) of the Code of Conduct for Members of Council (“Code of Conduct”) by conducting an election sign business using City of Toronto email services.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that Council uphold the complaint but not impose any sanctions.

Background:

On the evening of July 14, 2006, Councillor Moscoe sent out an email message to between twenty and thirty candidates³ for office in the upcoming 2006 City of Toronto municipal elections. He was in his City Hall office at the time and was using his office computer. The message went out from the following email address: hmoscoe@toronto.ca. The purpose of the message was to encourage the candidates to use his election sign business. The message had an attachment with sign specifications and prices with a return cell phone number and another telephone number that was not the Councillor’s City Hall number.

This action attracted media attention and subsequently two formal complaints (of which this was one) under the Complaint Protocol. After determining there was sufficient basis for launching a formal investigation and an exchange of written submissions among the parties, I interviewed Councillor Moscoe.

In both his written response to the complaint and in the interview with me, Councillor Moscoe admitted that the emails in question were sent from his City Hall office using his office computer. However, he drew attention to the fact that the numbers provided on the advertisement were not City Hall numbers and the email address from which the messages emanated was not his official or advertised City Hall email address

2 The complainant is not running against Councillor Moscoe.

3 None was an incumbent.

(councillor_moscoe@toronto.ca). In fact, the address from which the message originated is an email address set up and maintained by the City's IT services for the private use of members of Council in conducting the business of the corporation.

He also provided an account of the circumstances in which the message was sent out. It occurred during a week in which he had meetings every night of the week at City Hall. On the evening of July 14, 2006, during some down time, he started to experiment with setting up batch emails. It was in the course of that experiment that the message was sent.

Councillor Moscoe also provided evidence of having reimbursed City Hall in 2000 for the use that he made of his office facilities (fax and telephone) for the purposes of his election sign business during the course of that year's municipal elections. He also questioned whether a policy established by Council at its meeting of May 23, 24 and 25, 2006 should apply retroactively.

Relevant Provisions:

Clause IV of the Code of Conduct provides as follows:

IV. USE OF CITY PROPERTY, SERVICES AND OTHER RESOURCES:

No member of Council should use, or permit the use of City land, facilities, equipment, supplies, services, staff or other resources (for example, City-owned materials, web sites, Council transportation delivery services and Councillor global budgets) for activities other than the business of the Corporation. Nor should any member obtain financial gain from the use or sale of City-developed intellectual property (for example, inventions, creative writings and drawings), computer programs, technical innovations, or other items capable of being patented, since all such property remains exclusively that of the City.

In addition, at its meeting of May 23, 24, and 25, 2006, City Council approved the policy on Use of Corporate and Communication Resources During an Election Year for the City of Toronto municipal elections of 2006. This policy reaffirmed the following statement that Council had adopted for the 2003 municipal elections:

Corporate resources and funding may not be used for any election-related purposes, with the exception community groups be extended access to City facilities for the explicit purpose of conducting all-candidates meetings, including all candidates meetings for municipal, provincial and federal elections, at a nominal fee of \$1.00, and all registered candidates within each specific category must be invited to attend such meetings.

As well, the City of Toronto's Acceptable Use Policy, issued, approved and effective May 16, 2005, states that

I & T resources are to be used solely for City business purposes with the exception of the limited occasional personal use.

In the section of that policy entitled “Personal Use (limited and occasional)”, it is further provided that any such usage cannot involve “an activity that may result in personal gain (e.g. derive income from a personal source)”.

Comments:

There is no doubt that Councillor Moscoe used a City of Toronto website for an activity other than the business of the corporation as prohibited by Clause IV of the Code of Conduct.

This conclusion is reinforced by the terms of the Acceptable Use Policy. While such policies do not at present provide a stand alone basis for a complaint of violation of the Code of Conduct, they can be used in the interpretation of the specific substantive provisions of the Code of Conduct. In this instance, limited though the use of City facilities was, it did not come within the permissible range of limited occasional personal use as permitted by that policy. This is because it constituted an activity that could result in personal gain, in this instance income from the Councillor’s election sign business.

Support for this finding is also found in the City’s policy for the 2006 municipal elections on the Use of Corporate and Communications Resources during an Election Year, a policy that has as its objective the elimination (save in one respect) of any association between the City and the election process. (In this context, I reject Councillor Moscoe’s contention that to apply the policy to his activities would be to act with retroactive effect. The policy was adopted almost two months before the conduct giving rise to this complaint and, in any event, simply incorporated the policy that applied to the 2003 City of Toronto municipal election.)

Conclusions:

In a letter to the Director, Council and Support Services dated August 17, 2006, copied to the City Clerk, the Director, Elections and Registry Services and the Integrity Commissioner, and shared with the complainant as his response to the complaint, Councillor Moscoe stated:

It would appear that my actions have come into conflict with city policy. If I have acted improperly, I assure you that it was without intent and I sincerely regret the oversight.

In the course of the interview with me, Councillor Moscoe was similarly contrite.

Nonetheless, for a member of Council to create the impression in the minds of reasonable people that he or she may be running a business out of that member’s City Hall office is certainly a serious lapse of judgment on the part of a very experienced member of Council. The Councillor’s conduct and justification of it also seemed to reveal a lack of awareness of current Council policies on such matters. It is also conduct that could well lead some

candidates to actually contract for the advertised services in the expectation in the event of success at the polls of future alliances with and goodwill from an influential member of Council.

Despite considerable misgivings, I have decided, however, to rely on Clause 5 of the Complaint Protocol and recommend to Council that no penalty be imposed. I accept the Councillor's explanation of the circumstances under which the email message was composed and sent out. It is also of some significance that, while the message encouraged email responses, the phone numbers on the advertisement itself were not City Hall phone numbers and there is no reference to the City of Toronto in that advertisement. It also seems clear that, in the past, before the current policies were in place, the Councillor was careful to reimburse the City for the use of his office facilities for the purpose of this business. On those considerations, I am prepared to classify this as "an error of judgment made in good faith". However, in the cause of protecting the integrity interests of the City, I would urge the Councillor to send an electronic copy of this report to all those candidates to whom he sent the message and to extend his regrets in writing personally to the complainant.

Contact:

David Mullan
Integrity Commissioner
Tel: 416-397-7770/Fax: 416-392-3840
Email: dmullan@toronto.ca

ATTACHMENT 14 [Notice of Motion J(35)]

Report (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clauses IV and V of the Code of Conduct by using City resources in the conduct of a private business (2)”. (See Minute 12.153, Page 227):

Purpose:

To report on a complaint by a candidate⁴ in the upcoming City of Toronto municipal elections complained that Councillor Howard Moscoe violated Clauses IV (“Use of City Property, Services and Other Resources) and V (“Election Campaign Work”) of the Code of Conduct for Members of Council (“Code of Conduct”) by conducting an election sign business using City of Toronto email services.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that Council uphold the complaint but not impose any sanctions.

Background:

On the evening of July 14, 2006, Councillor Moscoe sent out an email message to between twenty and thirty candidates⁵ for office in the upcoming 2006 City of Toronto municipal elections. He was in his City Hall office at the time and was using his office computer. The message went out from the following email address: hmoscoe@toronto.ca. The purpose of the message was to encourage the candidates to use his election sign business. The message had an attachment with sign specifications and prices with a return cell phone number and another telephone number that was not the Councillor’s City Hall number.

This action attracted media attention and subsequently two formal complaints (of which this was one) under the Complaint Protocol. After determining there was sufficient basis for launching a formal investigation and an exchange of written submissions among the parties, I interviewed Councillor Moscoe.

In both his written response to the complaint and in the interview with me, Councillor Moscoe admitted that the emails in question were sent from his City Hall office using his office computer. However, he drew attention to the fact that the numbers provided on the advertisement were not City Hall numbers and the email address from which the messages

4 The complainant is not running against Councillor Moscoe.

5 None was an incumbent.

emanated was not his official or advertised City Hall email address (councillor_moscoe@toronto.ca). In fact, the address from which the message originated is an email address set up and maintained by the City's IT services for the private use of members of Council in conducting the business of the corporation.

He also provided an account of the circumstances in which the message was sent out. It occurred during a week in which he had meetings every night of the week at City Hall. On the evening of July 14, 2006, during some down time, he started to experiment with setting up batch emails. It was in the course of that experiment that the message was sent.

Councillor Moscoe also provided evidence of having reimbursed City Hall in 2000 for the use that he made of his office facilities (fax and telephone) for the purposes of his election sign business during the course of that year's municipal elections. He also questioned whether a policy established by Council at its meeting of May 23, 24 and 25, 2006 should apply retroactively.

Relevant Provisions:

Clauses IV and V of the Code of Conduct provides as follows:

IV. USE OF CITY PROPERTY, SERVICES AND OTHER RESOURCES:

No member of Council should use, or permit the use of City land, facilities, equipment, supplies, services, staff or other resources (for example, City-owned materials, web sites, Council transportation delivery services and Councillor global budgets) for activities other than the business of the Corporation. Nor should any member obtain financial gain from the use or sale of City-developed intellectual property (for example, inventions, creative writings and drawings), computer programs, technical innovations, or other items capable of being patented, since all such property remains exclusively that of the City.

V. ELECTION CAMPAIGN WORK:

Members are required to follow the provisions of the *Municipal Elections Act, 1996*. No member shall use the facilities, equipment, supplies, services or other resources of the City (including Councillor newsletters) for any election campaign or campaign related activities. No member shall undertake campaign-related activities on City property during regular working hours. No member shall use the services of persons during hours in which those persons receive any compensation from the City.

In addition, at its meeting of May 23, 24, and 25, 2006, City Council approved the policy on Use of Corporate and Communication Resources During an Election Year for the City of Toronto municipal elections of 2006. This policy reaffirmed the following statement that Council had adopted for the 2003 municipal elections:

Corporate resources and funding may not be used for any election-related purposes, with the exception community groups be extended access to City facilities for the explicit purpose of conducting all-candidates meetings, including all candidates meetings for municipal, provincial and federal elections, at a nominal fee of \$1.00, and all registered candidates within each specific category must be invited to attend such meetings.

As well, the City of Toronto's Acceptable Use Policy, issued, approved and effective May 16, 2005, states that

I & T resources are to be used solely for City business purposes with the exception of the limited occasional personal use.

In the section of that policy entitled "Personal Use (limited and occasional)", it is further provided that any such usage cannot involve "an activity that may result in personal gain (e.g. derive income from a personal source)."

Comments:

There is no doubt that Councillor Moscoe used a City of Toronto website for an activity other than the business of the corporation as prohibited by Clause IV of the Code of Conduct.

This conclusion is reinforced by the terms of the Acceptable Use Policy. While such policies do not at present provide a stand alone basis for a complaint of violation of the Code of Conduct, they can be used in the interpretation of the specific substantive provisions of the Code of Conduct. In this instance, limited though the use of City facilities was, it did not come within the permissible range of limited occasional personal use as permitted by that policy. This is because it constituted an activity that could result in personal gain, in this instance income from the Councillor's election sign business.

Support for this finding is also found in the City's policy for the 2006 municipal elections on the Use of Corporate and Communications Resources during an Election Year, a policy that has as its objective the elimination (save in one respect) of any association between the City and the election process. (In this context, I reject Councillor Moscoe's contention that to apply the policy to his activities would be to act with retroactive effect. The policy was adopted almost two months before the conduct giving rise to this complaint and, in any event, simply incorporated the policy that applied to the 2003 City of Toronto municipal election.)

However, I am dismissing the complaint that Councillor Moscoe's conduct also amounted to a violation of Clause V of the Code of Conduct. On my interpretation, this provision governs a member of Council in the conduct of her or his own election campaign. The soliciting of business in the form of orders for election signs had no relationship with the Councillor's own election campaign.

Conclusions:

In a letter to the Director, Council and Support Services dated August 17, 2006, copied to the City Clerk, the Director, Elections and Registry Services and the Integrity Commissioner, and shared with the complainant as his response to the complaint, Councillor Moscoe stated:

It would appear that my actions have come into conflict with city policy. If I have acted improperly, I assure you that it was without intent and I sincerely regret the oversight.

In the course of the interview with me, Councillor Moscoe was similarly contrite.

Nonetheless, for a member of Council to create the impression in the minds of reasonable people that he or she may be running a business out of that member's City Hall office is certainly a serious lapse of judgment on the part of a very experienced member of Council. The Councillor's conduct and justification of it also seemed to reveal a lack of awareness of current Council policies on such matters. It is also conduct that could well lead some candidates to actually contract for the advertised services in the expectation in the event of success at the polls of future alliances with and goodwill from an influential member of Council.

Despite considerable misgivings, I have decided, however, to rely on Clause 5 of the Complaint Protocol and recommend to Council that no penalty be imposed. I accept the Councillor's explanation of the circumstances under which the email message was composed and sent out. It is also of some significance that, while the message encouraged email responses, the phone numbers on the advertisement itself were not City Hall phone numbers and there is no reference to the City of Toronto in that advertisement. It also seems clear that, in the past, before the current policies were in place, the Councillor was careful to reimburse the City for the use of his office facilities for the purpose of this business. On those considerations, I am prepared to classify this as "an error of judgment made in good faith". However, in the cause of protecting the integrity interests of the City, I would urge the Councillor to send an electronic copy of this report to all those candidates to whom he sent the message and to extend his regrets in writing personally to the complainant.

Contact:

David Mullan
Integrity Commissioner
Tel: 416-397-7770/Fax: 416-392-3840
Email: dmullan@toronto.ca

ATTACHMENT 15 [Notice of Motion J(39)]

City of Toronto Policy on “Flag Raisings”. (See Minute 12.157, Page 234):

Flag Raisings

Flag raisings enhance public awareness of activities, such as fund-raising drives, multi-cultural events and national or independence days.

The City will fly flags of nations recognized by the Federal Department of Foreign Affairs on their national day or on the anniversary of a special occasion.

The City will also fly the flags of non-profit charitable organizations. Flags are flown for up to two weeks, upon written request of the group or organization.

Requests to use the courtesy flagpole at City Hall are confirmed on a first-come, first-served basis.

When conflicting requests for a flag raising are received, the organization making the second request is given the option of using a courtesy flagpole at a Civic Centre located nearest to the intended audience.

Requests for a flag raising at a location other than Toronto City Hall are considered and approved on a first-come, first-served basis.

Requests must be received in writing and should include:

- organization name
- address
- contact
- title
- phone number
- fax number
- name of flag to be raised
- date and time of flag raising ceremony
- reason for flag raising
- request for ceremony.

ATTACHMENT 16 [Notice of Motion J(46)]

Report (September 25, 2006) from the General Manager, Transportation Services, entitled “Temporary Closure of a Portion of Basin Street, West of Bouchette Street and a Portion of Saulter Street South, Extending Northerly From Basin Street to Commissioners Street to Accommodate Construction Staging Area (Toronto-Danforth - Ward 30)”. (See Minute 12.164, Page 249):

Purpose:

To report directly to City Council, at its meeting of September 25, 2006, on a proposal to temporarily close portions of public highways Basin Street and Saulter Street South to accommodate a construction staging area and to facilitate construction of a new film facility at Filmport. The process of formally closing and leasing the subject lands to the Toronto Economic Development Corporation (TEDCO) has been previously approved by Council, however, due to the statutory requirements, it will not be feasible to complete the requisite steps for several months including enactment of a by-law. Accordingly, the requested temporary closures will enable work on the site to progress. This report is being submitted in conjunction with a report from the Chief Corporate Officer with regard to the long term lease of the public highway lands to be closed.

Financial Implications and Impact Statement:

Under the applicable provisions of Chapter 313 of the former City of Toronto Municipal Code, occupancy of the public highway lands is subject to fees in the amount of \$17,932.67 (2006) per month. Total revenues for the period October 1, 2006 to March 31, 2007, the time which the lands are likely to remain as public highway prior to the enactment of a closing by-law, are estimated to be \$108,456.78.

The Deputy City Manager and Chief Financial Officer has reviewed this report and concurs with the financial implications should City Council decide to waive the requisite fees.

Recommendations:

It is recommended that:

- (1) the request to temporarily close portions of the public highway of Basin Street, 57.3 m west of Bouchette Street and Saulter Street South, extending northerly from Basin Street to Commissioners Street be approved to facilitate construction of the new studio facility at Filmport, subject to the applicant agreeing to but not limited to the following:

- (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing an insurance policy for such liability for the duration of the temporary closure in a form as approved by the Deputy City Manager and Chief Financial Officer and in an amount not less than \$5,000,000 or such greater amount as the Deputy City Manager and Chief Financial Officer may require;
 - (b) not to undertake any construction work within the temporarily closed portions of Basin Street and Saulter Street South until after the formal road closing is ratified;
 - (c) provide a permanent right-of-way on a 24 hour basis over the portion of Basin Street, shown as Part 1 on Sketch No. PS-2005-135, for vehicular and pedestrian access purposes in favour of Hydro One and Toronto Hydro;
 - (d) provide unrestricted access to the various utility companies together with Toronto Water who have existing plants within the affected portions of the right-of-way to be temporarily closed, for maintenance and/or emergency purposes;
 - (e) pay a monthly rental fee for the area of public right of way enclosed in keeping with the provisions of Chapter 313, of the former City of Toronto Municipal Code, Streets and Sidewalks;
 - (f) accept such additional conditions as the City Solicitor or the General Manager, Transportation Services may deem necessary in the interest of the City;
- (2) such permission shall terminate once permission for the permanent road closure has been finalized and the by-law enacted to permanently close the affected portions of Basin Street and Saulter Street South; and
 - (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that may be required.

Background:

City Council, at its meeting of May 23, 24 and 25, 2006, in considering an application by the Toronto Economic Development Corporation (TEDCO), to close and lease portions of the public highways Basin Street, west of Bouchette Street and Saulter Street South, extending northerly from Basin Street to Commissioners Street, declared the lands surplus and initiated the formal closing process. (Clause No. 60 of Toronto and East York Community Council Report No. 4). The lands are intended to be sub-leased to the Toronto Film Studios (TFS) for development of a film / media complex.

Three phases of approval of City Council are required before the public highway lands are legally closed. The first, as adopted by Council in May 2006, is the declaration of the lands as surplus to initiate the closing process and direction to the Chief Corporate Officer to invite the offer to lease. A status report (August 29, 2006) on the on-going negotiations with TEDCO was before the Administration Committee at its meeting of September 5, 2006 (Clause No. 45 of Administration Committee Report No. 6). The Committee adopted this report and requested the Chief Corporate Officer to report directly to City Council for its meeting of September 25, 26 and 27, 2006 on the terms and conditions of the 99-year lease agreement. This report is before this Council. The final step is the submission of the draft closing by-law and consideration as a deputation at Community Council.

Due to the statutory requirements, the formal closing of these portions of public highway through enactment of a by-law cannot be completed until the Spring of 2007, given the Council schedule and upcoming municipal election. In order that work on the project can proceed in the interim, Transportation Services has received a request to temporarily close these portions of the public highway to accommodate a construction staging area.

Comments:

Transportation Services has now received an application on behalf of the Toronto Film Studios requesting permission to temporarily close portions of the public highways Basin Street and Saulter Street South to facilitate construction staging and the temporary storage of materials and equipment for the construction of the new film studio. The applicant further adds that no construction work within the public right of way is scheduled to take place until after the formal road closing is ratified in spring 2007. The applicant feels that the temporary closure will secure the safety of their construction site. To this end, the applicant is requesting permission to temporarily close Basin Street and Saulter Street South from October 2, 2006, until the permanent road closing is granted.

Appendix 'A' provides a map of the area. Appendix 'B' denotes Parts 1, 2 and 3 on Sketch No. PS-2005-135 showing the proposed closure and lease of a portion of Basin Street (Parts 1 and 2) and a portion of Saulter Street South (Part 3).

City of Toronto Municipal Code Chapter 937-2 grants authority to staff to issue full or partial closure of the public right of way for periods up to 30 days in connection with private construction. In considering that this proposed temporary closure is to be in effect for approximately 6 months, City Council approval of the intended road closure is required.

Staff have reviewed the applicant's proposal and have determined that it will not impact negatively upon the public right of way. TEDCO owns all the land abutting the affected portions of Basin Street and Saulter Street South, except 23 Basin Street, which is owned by Hydro One and used jointly by Toronto Hydro. Accordingly, the Toronto Film Studios will be required to keep this portion of Basin Street open to provide a permanent right-of-way for vehicular and pedestrian access purposes in favour of Hydro One and Toronto Hydro. In addition, as there are various existing utilities that have plant within portions of the streets

that are to be temporarily closed together with City infrastructure, the applicant as a condition of approval will have to provide unrestricted access to the various utility companies together with Toronto Water who have infrastructure within the affected area.

Conclusions:

As the temporary closure of a portion of Basin Street, 57.3 m west of Bouchette Street and a portion of Saulter Street South, extending northerly from Basin Street to Commissioners Street will not impact negatively upon the right of way, permission should be granted until the application for the permanent road closure is finalized and the by-law enacted. The applicant will be required to provide permanent right-of-way for vehicular and pedestrian access in favour of Hydro One and Toronto Hydro via the portion of Basin Street, shown as Part 1 on Sketch No. PS-2005-135 . Similarly, as there are various utility companies that have plant within the affected portions of the public right of way as affecting Basin Street and Saulter Street South together with Toronto Water, the applicant will have to provide unrestricted access to the utility companies and Toronto Water to maintain their plant and/or emergency repair.

Contact:

Angie Antoniou, Manager, Right of Way Management, Toronto and East York District
Telephone: (416) 392-1525, Fax: (416) 392-7465, E-mail: aantonio@toronto.ca

List of Attachments:

Attachment No. 1 - Appendix 'A' - property data map
Attachment No. 2 - Appendix 'B' - sketch denoting parcels of lands
Attachment No. 3 - Appendix 'C' - photos

(Attachments 1 to 3 are on file in the City Clerk's Office.)

ATTACHMENT 17 [Notice of Motion J(47)]

Report (September 26, 2006) from the Executive Director, Technical Services, entitled “Regent Park Phase 1 - Proposed two-way operation on Regent Street between Dundas Street and new Cole Street and Loading Access Design for Block 13”. (See Minute 12.165, Page 252):

Purpose:

The purpose of this report is to recommend that the new Regent Street extension, between Dundas Street East and new Cole Street, be designed to operate as a two-way street.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) the extension of Regent Street, between Dundas Street and new Cole Street be designed to operate as a two-way street;
- (2) staff work with Toronto Community Housing Corporation (TCHC) to develop a solid waste service loading design for Block 13 in Phase 1 of the Regent Park redevelopment that would provide for refuse collection services to be carried out in accordance with the City’s Guidelines;
- (3) in the event a practical alternative service loading design for Block 13 cannot be achieved by October 25, 2006, then the loading design as proposed by TCHC be accepted, and that the City’s Solid Waste Management Division provide refuse collection services for the proposed residential development on Block 13; and
- (4) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto, including the introduction in Council of any Bills that may be required.

Background:

In 2003, the Toronto Community Housing Corporation (TCHC) submitted a proposal to redevelop Regent Park over a twelve to fifteen year period. In support of the proposed redevelopment, TCHC submitted a March 2005 Urban Design Guidelines for Regent Park. The guidelines envision, among other things, a system of new one-way streets, and were adopted by Council at its meeting of April 12, 13 and 14, 2005 (Report 3, Clause 3 of the Toronto East York Community Council).

TCHC submitted an application to lift the Holding designation for the Phase I lands which are

generally bounded by Dundas Street East, Parliament Street, the Oak Street extension (known as Street "A") and the Sackville Street extension (known as Street "C") and include the internal streets known as Cole Street (formerly known as Street "S") and the Regent Street extension.

To support the application to lift the Holding designation for Phase 1, a Development Context Plan dated August 2005 and a traffic impact study dated May 2005 were submitted. Both of those documents also recommended a one-way street network for the new streets. Council at its meeting of September 28, 29 and 30, 2005 (Report 7, Clause 5 of the Toronto East York Community Council) adopted the Development Concept Plan. The traffic impact study was determined to be acceptable by Transportation Services.

Comments

The concept of a one-way street system to discourage traffic infiltration has been approved in principle in connection with the redevelopment of Regent Park, however the details of the street network will be established prior to the opening of the roads to vehicular traffic by the passage of regulatory by-laws. A report recommending adoption of the regulatory by-laws to implement the one-way street system and the associated traffic control devices will be prepared by the Director, Transportation Services, Toronto and East York District prior to the opening of those streets to the general public. TCHC should contact the Traffic Operations Section of Transportation Services, Toronto East York District a minimum of three months prior the streets being constructed to base course asphalt to allow City staff to prepare the necessary reports.

The current proposal to change the operation of the Regent Street extension to two-way traffic, from Dundas Street East to Cole Street, is primarily the result of adjustments to the site plan for Block 13 of the Regent Park Phase 1 development which is located at the northeast corner of Parliament Street and Dundas Street East. These changes contemplate, among other things, the relocation of the site access driveway from Cole Street to Regent Street.

In support of the proposed two-way conversion of Regent Street, TCHC's transportation consultant submitted a report dated August 15, 2006 indicating that the two-way operation will result in reduced neighbourhood traffic, improved way-finding for grocery store customers of the Block 13 development, improved loading area access for the proposed grocery store, better accessibility for emergency vehicles and a reduction in the southbound Regent Street volumes. The change in operation for the subject section of Regent Street, in combination with other possible adjustments to the directions of the local one-way streets would actually further the objective of reducing traffic infiltration into the neighbourhood, and on that basis, is acceptable.

In order to accommodate two-way traffic on this segment of Regent Street, the pavement width will need to be a minimum of 8.0m. This will be reflected in the detailed design of this street.

A typical cross section for the portion of Regent Street which is proposed to be converted to two-way operation has been included in the August 15, 2006 report from Dillon Consulting. This cross-section is acceptable, subject to “No Parking” regulations being implemented on either side of the street.

Loading

TCHC has proposed that the loading area for Block 13 be located adjacent to the Regent Street frontage. The current proposal does not comply with the City’s guidelines for garbage and recycling from new developments and redevelopments in that vehicles are not able to enter and exit the site in a forward motion to minimize any safety hazards. Rather, the current proposed design layout would require the vehicles to back out onto Regent Street once collection activities have been completed.

City staff and TCHC are currently exploring alternative loading designs to comply with the City’s guidelines. However, it is recognized that the development block is constrained, and should no practical alternative design exists, then it is recommended that TCHC’s current loading design proposal be accepted on that basis.

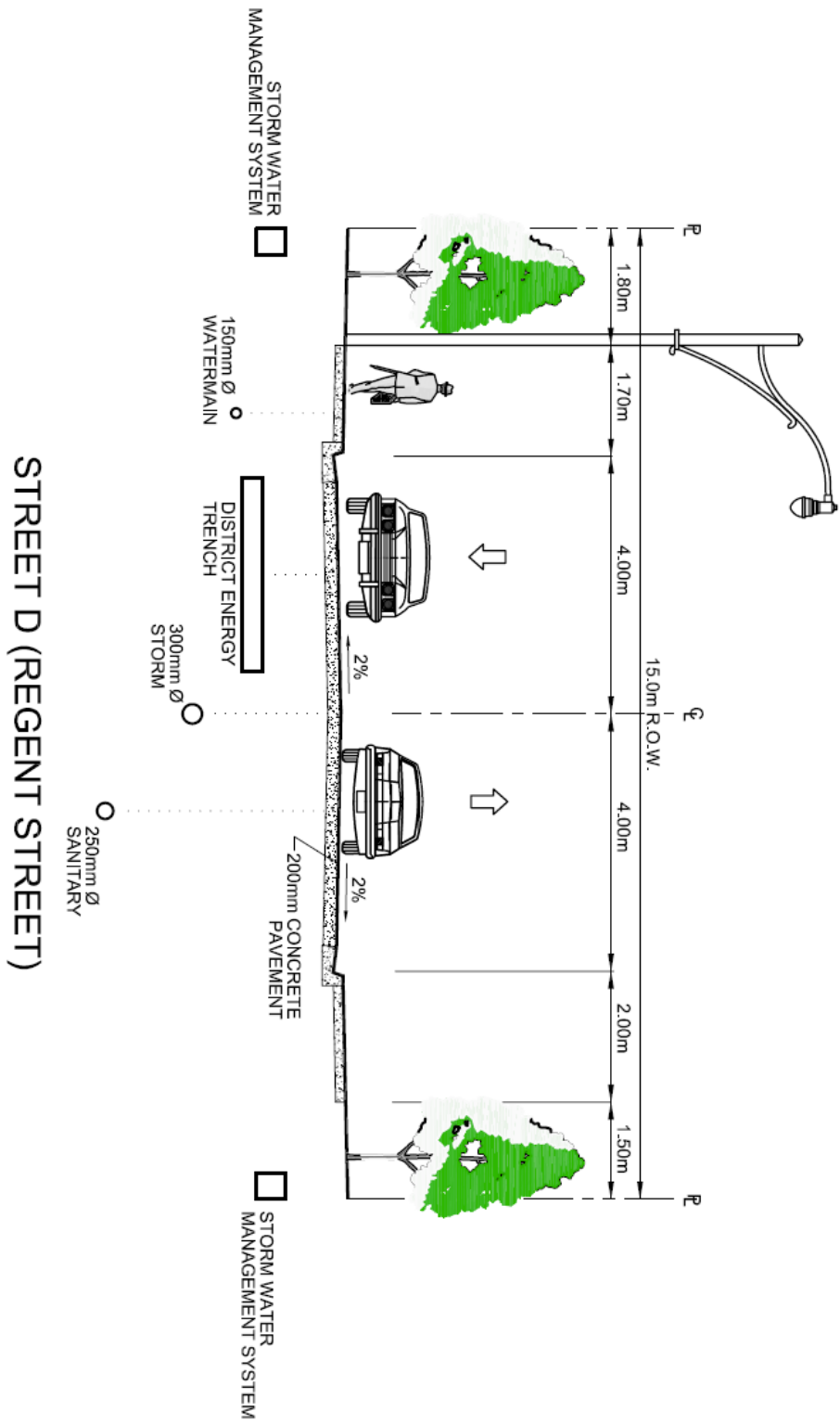
Conclusions

The conversion of proposed Regent Street Extension to two-way operation from Dundas Street East to Cole Street is acceptable in principle. A staff report recommending adoption of the regulatory by-laws to implement the one-way street system and the associated traffic control devices will need to be prepared and adopted by Council prior to the use of those streets by the general public.

Contact:

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Toronto & East York District
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Fax: 416-392-4426
E-mail: Bleaney@toronto.ca

Attachment ‘1’ – Sketch Showing Cross Section of New Regent Street Extension



Attachment 1 – Sketch of Cross Section of Regent Street Extension

FISCAL IMPACT STATEMENT SUMMARY
Notices of Motions
Submitted by the Deputy City Manager and Chief Financial Officer
Council Meeting – September 25, 26, 27 and 28, 2006

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
I(1)	Proposal for Leash-Free Park Area Pilot Projects	Future Years: \$25,000	Current Year: \$80,000	FIS has been provided to City Council in July, 2006
I(2)	Request of the Province of Ontario to Declare Transit Service in Toronto an Essential Service	\$0	\$0	Consider.
I(3) Revised	Establishment of a Property Assessment Reform Task-Force (PART)	\$0	\$0	Consider. See Report Attached to Motion
I(4)	Follow-up on Report Request of June 2005 respecting Social Services Spending and Reallocation of Funds to Provide Investment to 13 Identified Communities	\$0	\$0	Consider.
I(5)	Request for Poll on Bike Lanes - Cosburn Avenue between Broadview Avenue and Coxwell Avenue	\$0	\$0	Consider
I(6)	Extreme Heat Alerts	TBD	\$0	FIS has been provided to City Council in July, 2006
I(7)	Request for Report on the Transfer of Taxicab Licenses to Spouse upon Owner's Death	\$0	\$0	Consider.
I(8)	Request for Report on the Toronto Transit Commission (TTC) - City of Toronto Relationship Framework	\$0	\$0	Consider.
I(9)	Toronto Hydro Purchases of Nuclear Power from the Ontario Power Generation Corporation	\$0	\$0	Consider.
J(1)	Access to Retail Facilities for Disabled Citizens	\$0	\$0	Consider.
J(2)	Ensuring Parents are Provided with Assistance in Properly Installing Child Safety Car Restraints	\$0	\$0	Consider.
J(3)	The Kyoto Protocol - Implement Environmental Measures	\$0	\$0	Consider.
J(4)	Hydro Electric Services in Various Neighbourhoods Throughout Scarborough	\$0	\$0	Consider.

Minutes of the Council of the City of Toronto
September 25, 26, 27 and 28, 2006

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(5)	Proposed Designation of the Albion Islington Business Improvement Area - Poll Results - (Ward 1 – Etobicoke North)	\$0	\$0	Consider. See Report Attached to Motion
J(6)	Proposed Designation of Old Queen Street Business Improvement Area - Poll Results (Wards 27 and 28 - Toronto Centre-Rosedale)	\$0	\$0	Consider. See Report Attached to Motion
J(7)	Proposed Designation of the Dundas West Business Improvement Area - Poll Results (Wards 18 – Davenport)	\$0	\$0	Consider. See Report Attached to Motion
J(8)	Proposed Expansion of the Little Italy Business Improvement Area - Poll Results (Ward 19 - Trinity-Spadina)	\$0	\$0	Consider.
J(9)	Emergency Response Plan for the Waterfront in the Vicinity of Ward 20 – Trinity-Spadina	\$0	\$0	Consider.
J(10)	Issuance of Debentures	\$0	\$0	Consider.
J(11)	Authority to Enter Into an Agreement with the Owner of 770 Bay Street under Section 45(9) of the <i>Planning Act</i>	\$0	\$0	Consider.
J(12)	Naming of the Gymnasium at the East York Community Centre	\$0	\$0	Net zero impact. Budget adjustment required. \$60,000 gross to be funded from available Section 37 fund. See FIS.
J(13)	Downtown Yonge Street Business Improvement Area (BIA) - Proposed Identifying Signs Within the BIA	\$0	\$0	Consider.
J(14)	Request for Report on Feasibility of Donating a Surplus School Bus to the Abundant Life Assembly	\$0	\$0	The City doesn't own school buses – refer to Toronto School Boards.
J(15)	Permit for Temporary Installation of Bleachers to View Santa Claus Parade	\$0	\$0	Consider.
J(16)	Grant to a Tenant Subject to an Eviction Application as a Result of a Window Air Conditioning Unit at 640 Sheppard Avenue East (Ward 24 – Willowdale)	\$0	\$0	The \$5,000 can be accommodated within the Shelter, Housing Administration and Support (Tenant Support Grants Program) 2006 Operating Budget.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(17)	Application for Condominium Conversion - 1901 Bayview Avenue (Ward 26 – Don Valley West)	\$0	\$0	No financial impact at this time. Could involve assessment growth currently unquantified. See Report Attached to Motion.
J(18)	Preliminary Report - OPA and Rezoning Application 06 163756 NNY 23 OZ Applicant: Stephen F. Waque, Borden Ladner Gervais LLP, Architect: Kirkor Architects & Planners, 4759-4789 Yonge Street (Ward 23 - Willowdale)	\$0	\$0	Consider. See Report Attached to Motion
J(19)	Preliminary Report - OPA Application 05 210406 NNY 23 OZ, Applicant: Menkes Gibson Square Inc., 5170 Yonge Street (Ward 23 - Willowdale)	\$0	\$0	Consider. See Report Attached to Motion
J(20)	Northern Secondary School “Field of Dreams” Project – Section 37 Donation	\$0	\$0	Net zero impact. Budget adjustment required. \$130,000 gross to be funded from available Section 37 fund. See FIS.. See FIS and Report Attached to Motion.
J(21)	Liquor Licence Application - Metro Bar - 296 Richmond Street West	\$0	\$0	Consider.
J(22)	Liquor Licence Application - Circa - 126 John Street	\$0	\$0	Consider.
J(23)	Ontario Municipal Board Hearing - 10 Foxbar Road (Ward 22 - St. Paul’s	\$0	\$0	If expert witnesses are required, Legal will absorb the costs in their budget. See Notice of Decision Attached to Motion.
J(24)	Adjustment to Playground Capital Account CPR 117-34-29 - Wellesley Park	\$0	\$0	Budget adjustment required. \$4,712 gross, \$0 net to be funded by a community contribution through the Terry Michelin Memorial Fund. See FIS.
J(25)	225 Wellesley Street East and 550 Ontario Street – Request for Report on the Retention of An Entrance Ramp to the Hugh Garner Co-op	\$0	\$0	Consider.
J(26)	Alcohol and Gaming Commission of Ontario Proceeding - Dang Restaurant, 99 Pape Avenue	\$0	\$0	If expert witnesses are required, Legal will absorb the costs in their budget.

Minutes of the Council of the City of Toronto
September 25, 26, 27 and 28, 2006

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(27)	Extension of Poll Area - Application for Front Yard Parking at 100 Glendale Avenue	\$0	\$0	Consider.
J(28)	Re-opening of Proposed Parking Lot for the Palais Royale	\$49,000/yr	\$0	Pending the result of TPA study. Could be a loss of revenue for TPA of \$49,000 annually for 20 years. See FIS.
J(29)	Authority to Enter into Settlement Discussions – Temporary Sales Office	\$0	\$0	Consider.
J(30)	Transfer of Section 37 Funds to Economic Development, Culture and Tourism Accounts for Village of Islington Business Improvement Area	\$0	\$0	Budget adjustment required for \$200,000 gross and \$0 net to EDCT Capital Budget, to be funded from available Section 37 fund. See FIS
J(31)	Approval to Authorize the Acquisition of 11 St. Annes Road (Heydon Park Secondary School) for Use by the Toronto Police Service			Confidential. See Confidential Report Attached
J(32)	City of Toronto Appointment to the Toronto Port Authority	\$0	\$0	Consider.
J(33)	305 Dawes Road – Renewal of Lease of City Space Provided at Below Market Rent (Ward 31 – Beaches-East York)	\$3,972 revenue loss in 2006	\$0	The City will lose \$15,888 annually beginning in October, 2006 for a five year term; 2006 impact is \$3,972 if renewed as a Below- Market Rent Lease. See FIS and Report Attached to Motion.
J(34)	Integrity Commissioner – Follow up Report on Hiring of Relatives of Members of Council in Council Offices	\$0	\$0	Consider. See Report Attached to Motion.

**FISCAL IMPACT STATEMENT 1 [NOTICE OF MOTION I(1)]
(See Minute 12.110, Page 140)**

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input checked="" type="checkbox"/> Future year impacts: \$25,000 _____ (net)
	<input type="checkbox"/> Following year
	<input checked="" type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input checked="" type="checkbox"/> Capital	
<input checked="" type="checkbox"/> Current year impacts: \$80,000 _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – I(1) – For a typical 300' x 400' leash free zone the initial Capital cost would be approximately \$80,000.00 with ongoing maintenance of approximately \$25,000.00. These cost are not included in the current (2006) Capital and Operating Budgets as the original plan was to implement a user fee for dog walkers to fully support this activity.

- Consider
- Refer to Economic Development Parks and Culture Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: July 26, 2006

**FISCAL IMPACT STATEMENT 2 [NOTICE OF MOTION I(3)]
(See Minute 12.112, Page 144)**

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>25,000</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>150,000</u> (net)
	<input checked="" type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input checked="" type="checkbox"/> Impact on staffing levels: <u>1</u> (position)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – I(3) – Either existing staff resources would have to be re-assigned (and positions will be backfilled to maintain current service levels) or new positions would have to be created to support the Task Force and to conduct research and analysis of options and evaluation of impacts (including financial implications). Additionally, professional services may have to be retained to support City staff's efforts in the evaluation of options or assessment systems (1 position estimated at \$75,000.00 annually + \$100,000.00 for professional consulting services). The current year impact is \$25,000.00 assuming that the staff support is needed starting September 2006. Consulting services are assumed to be needed starting January 2007.

- Consider
- Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: July 26, 2006

**FISCAL IMPACT STATEMENT 3 [NOTICE OF MOTION I(6)]
(See Minute 12.115, Page 151)**

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>TBD</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – I(6) – The current budget for Cooling Centres is \$30,000.00. Until the impact on increasing the number and hours of operations of Cooling Centres are determined as a result of changes in formula used to call an Extreme Heat Alert and a review of possibly expanding beyond the current four cooling centres, the financial implications cannot be determined at this time. Also, the financial implications of creating energy assistance programs are dependant on determining the medical criteria for need which is unknown at this time.

- Consider
- Refer to Board of Health and Community Services Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: July 26, 2006

**FISCAL IMPACT STATEMENT 4 [NOTICE OF MOTION J(12)]
(See Minute 12.130, Page 185)**

Financial Implications:

Operating

Current year impacts: \$ _____ (net) Future year impacts: _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input checked="" type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ 0 _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(12) – The Approved 2006 Parks, Forestry and Recreation Capital Budget would be increased by \$60,000 gross (\$0 net) to fund improvements to the Winston Churchill Park playground. This new subproject is to be financed from Section 37 funds that City Planning currently holds in a deferred revenue account (#220096).

- Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: September 26, 2006

FISCAL IMPACT STATEMENT 5 [NOTICE OF MOTION J(20)]
(See Minute 12.138, Page 199)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input checked="" type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input checked="" type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input checked="" type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Budget adjustments: \$ <u>0</u> _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(20) – Increase to City Planning Operating Budget \$130,000 gross, which covered by deferred revenue account from available Section 37 fund. Budget adjustment required.

- Consider
- Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: September 26, 2006

**FISCAL IMPACT STATEMENT 6 [NOTICE OF MOTION J(24)]
(See Minute 12.142, Page 208)**

Financial Implications:

Operating

Current year impacts: \$ _____ (net) Future year impacts: _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input checked="" type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ 0 _____ (net)

Operating Impact:

Program costs: \$ _____ (net)
 Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(24) – The Approved 2006 Parks, Forestry and Recreation Capital Budget would be increased by \$4,712 gross (\$0 net) to fund the establishment a commemorative ornamental gate to the entrance of the Wellesley Park playground. This new-subproject is to be financed by a community contribution through the Terry Michelin Memorial Fund.

- Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: September 26, 2006

FISCAL IMPACT STATEMENT 7 [NOTICE OF MOTION J(28)]
(See Minute 12.146, Page 215)

Financial Implications:

Operating

Current year impacts: \$ _____ (net) Future year impacts: \$ 49,000/yr. (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(28) – Financial impact could arise after the TPA study is completed if parking is not eventually provided for the Palais Royale. Loss of revenue for TPA could be \$49,000 annually for 20 years. Impact on TPA Capital Budget would be a decrease of \$500,000 gross, \$0 net if parking facility is not constructed.

Consider Refer to Standing Committee
Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: September 26, 2006

**FISCAL IMPACT STATEMENT 9 [NOTICE OF MOTION J(33)]
(See Minute 12.151, Page 224)**

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input checked="" type="checkbox"/> Current year impacts: <u>\$3,972 revenue loss</u>
<input checked="" type="checkbox"/> Future year impacts: <u>\$10,592 revenue loss</u>
<input type="checkbox"/> Following year
<input checked="" type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – (J33) – If the lease is renewed as a Below-Market Rent Lease, the City will lose \$15,888 annually beginning in October, 2006 for a five year term; 2006 impact is \$3,972 revenue loss.

- Consider
- Refer to Standing Committee

Submitted by: _____
Deputy City Manager & Chief Financial Officer

Date: September 26, 2006

**FISCAL IMPACT STATEMENT 10 [NOTICE OF MOTION J(48)]
(See Minute 12.166, Page 254)**

Financial Implications:

Operating

Current year impacts: \$ TBD (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(48) – Creation of French Language Office- Total estimate not yet available. An indication of the magnitude provided: French translation costs 25 cents a word for ‘standard’ language – this increases to 40 cents a word for ‘legal’ language. A typical agenda package contains approximately 900 pages – (assuming 300 words per page, each agenda package would cost approx. \$6,750. A very rough estimate for annual agenda documentation only is over \$0.5 million dollars. Approximately 1,100 by-laws are created each year – these would incur higher costs (\$0.40). A very rough estimate for this cost is \$0.66 million dollars. Other documentation costs not yet estimated.

- Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager & Chief Financial Officer

Date: September 27, 2006