
Toronto and East York Community Council

Meeting No.	18	Contact	Frances Pritchard, Acting Administrator
Meeting Date	Tuesday, September 9, 2008	Phone	416-392-7033
Start Time	9:30 AM	E-mail	teycc@toronto.ca
Location	Committee Room 1, City Hall		

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Meeting No. 18
Meeting Date Tuesday, September 9, 2008
Start Time 9:30 AM
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Contact Frances Pritchard, Acting Administrator
Phone 416-392-7033
E-mail teycc@toronto.ca

TE18.1	Adopted			Ward: 30
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Inclusion on Heritage Inventory - 120 First Avenue

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council include the property at 120 First Avenue (St. Ann's Rectory) on the City of Toronto Inventory of Heritage Properties.

(June 2, 2008) Report from Director, Policy and Research, City Planning Division

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council include the property at 120 First Avenue (St. Ann's Rectory) on the City of Toronto Inventory of Heritage Properties.

Summary

This report recommends that City Council include the property at 120 First Avenue (St. Ann's Rectory) on the City of Toronto Inventory of Heritage Properties. The site adjoins the property at 711 Gerrard Street East with St. Ann's Church, which is listed on the City's heritage inventory. It also adjoins the proposed Riverdale Phase 1 Heritage Conservation District, which extends along parts of First Avenue, West Avenue and Tiverton Avenue.

The inclusion of the property at 120 First Avenue on the City's heritage inventory would

enable staff to monitor any applications affecting the site and encourage the retention of the building's heritage values and attributes.

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14837.pdf>)

Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14838.pdf>)

Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14839.pdf>)

Attachment 3

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14840.pdf>)

1a Inclusion on Heritage Inventory - 120 First Avenue

(July 18, 2008) Letter from Toronto Preservation Board

Summary

For consideration with the report (June 2, 2008) from the Director, Policy and Research, City Planning Division

Background Information (Committee)

Letter

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14841.pdf>)

TE18.5	Adopted			Ward: 32
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Final Report - Rezoning Application - Removal of the Holding Symbol "H" - 65 Crossovers Street

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council amend Zoning By-law 191-2001 (OMB) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 of the report (August 18, 2008) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

(August 18, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council amend Zoning By-law 191-2001 (OMB) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 of the report (August 18, 2008) from the Acting Director, Community Planning, Toronto and East York District; and
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Summary

This City-initiated amendment is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to remove the Holding Symbol (H) from the zoning on the property to permit the construction of 2 dwelling units at 65 Crossovers St.

The official plan policies for the property contemplate removal of a holding symbol when specific conditions have been satisfied, including the passing of five years, which has occurred.

This report reviews and recommends approval of the application to amend Zoning By-law No. 191-2001 (OMB) to remove the holding symbol and associated provisions from the subject lands.

This report reviews and recommends approval of the application to amend the Zoning By-law.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15096.pdf>

TE18.6	Adopted			Ward: 22
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Common Elements Condominium Application Final Report - Common Elements Condominium Application - 22 and 24 Birch Avenue

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. In accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner intends to approve the draft plan of common elements

condominium, as generally illustrated on Attachment 1 of the report (August 13, 2008) from the Acting Director, Community Planning, Toronto and East York District, subject to:

- a. the conditions as generally listed in Attachment 2, which except as otherwise noted, must be fulfilled prior to the release of the plan of condominium for registration; and
- b. any such revisions to the proposed condominium plan or any such additional or modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development.

Statutory - Planning Act, RSO 1990

(August 13, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. In accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner intends to approve the draft plan of common elements condominium, as generally illustrated on Attachment 1 of the report (August 13, 2008) from the Acting Director, Community Planning, Toronto and East York District, subject to:
 - a. the conditions as generally listed in Attachment 2, which except as otherwise noted, must be fulfilled prior to the release of the plan of condominium for registration; and
 - b. any such revisions to the proposed condominium plan or any such additional or modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development.

Committee Decision Advice and Other Information

The Toronto and East York Community Council held a statutory public meeting on September 9, 2008 and notice was given in accordance with the *Planning Act*.

Summary

This Draft Plan of Common Elements Condominium application was made on March 18, 2008 and is subject to the new provisions of the *Planning Act*. The *Planning Act* now requires that a Public Meeting be held for all Draft Plan of Common Elements Condominium applications.

The application proposes to create a common elements condominium consisting of a driveway to provide servicing and access to four townhouses on lands known municipally as 22-24 Birch

Avenue.

This report reviews and recommends approval of the Draft Plan of Common Elements Condominium subject to conditions.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14862.pdf>

Speakers (Committee)

John B. Keyser, Keyser Mason Ball LLP

TE18.7	Amended			Ward: 28
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Final Report - Official Plan Amendment and Rezoning Application - Part of 55 Mill Street - Gooderham and Worts

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council adopt the following confidential instructions to staff in respect of the Ontario Municipal Board Hearing, and authorize their public release at the conclusion of the Council meeting:

Confidential Instructions (now public in their entirety):

1. Council adopt the Proposed Revisions 1, 2e and 2f in the applicant's Settlement Letter attached to the report (September 25, 2008) from the City Solicitor.
2. Council adopt Proposed Revision 2a - Alterations to Certain Walls of the Designated Heritage Property contained in the applicant's Settlement Letter attached to the report (September 25, 2008) from the City Solicitor on condition that the Manager of Heritage Preservation Services report to Council at its meeting on October 29 and 30, 2008 referencing the recommendation of the Toronto Preservation Board, and the City Solicitor request the Ontario Municipal Board not to address the cultural heritage component of the hearing until after Council's meeting on October 29 and 30, 2008.
3. Council adopt Proposed Revisions 2b - Timing for the Heritage Conservation Plan, 2c - Public Art Contribution and 2d - Parkland Consideration contained in the applicant's Settlement Letter attached to the report (September 25, 2008) from the City Solicitor.

The motions adopted by City Council, as amended by the above instructions, now read as

follows:

1. City Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board hearing in support of the revised application for an Official Plan amendment and rezoning to permit the development of 40, 35 and four-storey buildings as set out on the drawings date stamped as received by the City Planning Division on June 23, 2008, subject to the conditions included in Parts 2, 3 and 4.
2. City Council authorize the City Solicitor to request the Ontario Municipal Board to amend:
 - i. the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment 6; and
 - ii. Zoning By-law 1994-0396 and 438-86 as required substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 7.
3. City Council authorize the City Solicitor and Chief Planner and Executive Director, City Planning Division, to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required to implement the intent of this report.
4. City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold its Final Order approving the Official Plan Amendment and Zoning By-law Amendment until it receives written confirmation from the City Solicitor that the following conditions, set out in i., ii. and iii. below, have been satisfied:
 - i. Flood Protection
 - a. the landform feature currently being constructed for the Province by the Ontario Realty Corporation is completed such that the measures relating to floodplain protection in a special policy area (“SPA”) in the applicable Official Plan are no longer necessary in relation to these lands, all to the satisfaction of the Toronto and Region Conservation Authority and the Provincial Ministries having jurisdiction over such matters;
 - b. the applicable Official Plan has been amended to remove the SPA designation for the western portion of the Lower Don Area. OR
 - c. in lieu of (a) and (b) above, the applicant has obtained the approval of the relevant Provincial Ministries under policy 3.1.3(a) of the Provincial Policy Statement, 2005 to the proposed change or modification to the site specific Official Plan policies applying to a Special Policy Area in order to permit the proposed residential uses and the applicant has established measures satisfactory to the City Solicitor that there shall be no occupancy of the residential component of the development proposal until the earliest of January 2011 or completion of the landform feature currently under construction just east of the site. The development

proposal shall be subject to the 1:350 floodproofing requirement as described in policy 8 of subsection 15 of the King Parliament Secondary Plan if the lands are still in the floodplain at the time of the building permit; however, if the landform feature is completed and the lands are no longer located within the floodplain, the building permit can be amended to remove the 1:350 floodproofing requirement. The applicant shall provide its indemnity and insurance covenant to the satisfaction of the City and, if requested, to the Province.

ii. Servicing Matters

The applicant address the following servicing issues to the satisfaction of the Executive Director, Technical Services Division:

- a. provide a water demand analysis with recent hydrant testing to demonstrate that the existing municipal infrastructure can support this development;
- b. provide detailed calculations for the sanitary sewer to demonstrate that the existing municipal infrastructure can support this development;
- c. because the City's Wet Weather Flow Management Guidelines with respect to the 100-year level of protection for stormwater quantity has not been addressed, the applicant shall provide documentation from the Toronto and Region Conservation Authority that quantity control is not required. The applicant shall provide documentation showing compensation protection for storms above the two-year; and
- d. provide all calculations with respect to stormwater quantity control.

iii. Section 37 Agreement

The applicant enter into an agreement under Section 37 of the Planning Act to amend the existing Section 37 Agreement for Gooderham and Worts, satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:

Heritage & Archaeology:

- a. provision of a detailed Conservation Plan, prepared by a qualified heritage architect to the satisfaction of the Manager of Heritage Preservation Services, to include: documentation through photographs of the as-found condition of Rack Houses "G" and "J" including photographs of the interior roof structure and racking system, Building 63 (Paint Shop), and Building 74 (Case Goods Warehouse), all as pertaining to the Reasons for Identification; detailed

descriptions/specification for all proposed heritage conservation work including measures to be taken to protect all heritage structures within an area adjacent to the development site during construction; an exterior lighting and signage plan; and an estimate of costs for the implementation of the Conservation Plan;

- b. provide a Letter of Credit in a form and an amount satisfactory to the Manager of Heritage Preservation Services, to secure the work identified in the Conservation Plan;
- c. provide a detailed landscape plan including all at and above-grade outdoor amenity space that is proposed as part of the development, to the satisfaction of the Manager of Heritage Preservation Services;
- d. provide building permit drawings to the satisfaction of the Manager of Heritage Preservation Services;
- e. prior to the release of the Letter of Credit, the applicant is to complete the heritage conservation work to the satisfaction of the Manager of Heritage Preservation Services;
- f. retain a consultant archaeologist, licensed by the Province's Ministry of Culture, to provide an update to the materials cited in the existing Section 37 Agreement for Gooderham and Worts, being Report No. 1 "Aboriginal and Early European Settlement" and Report No. 6 "Industrial Heritage Assessment of the Heritage Master Plan" which together constituted a Stage 1 Archaeological Assessment in accordance with the Archaeological Assessment Technical Guidelines, 1993, Ministry of Culture. This Stage 1 Archaeological Assessment update is to be in accordance with the Final Draft - Standards and Guidelines for Consulting Archaeologists, September 2006, Ministry of Culture such that:
 - i. the consultant archaeologist shall submit any recommendations for Stages 2 - 4 mitigation strategies, should the archaeological assessment proceed beyond a Stage 1 Assessment, to the City Planning Division (Heritage Preservation Services) to be approved prior to commencement of the site mitigation and any construction activities, including excavation, for the development;
 - ii. the consultant archaeologist shall submit a copy of the relevant assessment report(s) to City Planning Division (Heritage Preservation Services) in both hard copy format and as an Acrobat PDF file;
 - iii. prior to the issuing of any building permits including an excavation permit, the City Planning Division (Heritage

Preservation Services) and the Ministry of Culture (Heritage Operations Unit), shall confirm in writing that all archaeological licensing and technical review requirements have been satisfied; and

- iv. prior to the release of the Letter of Credit, the applicant shall incorporate into the development, through preservation and interpretation or through commemoration and exhibition development, any significant archaeological resources and findings on site to the satisfaction of the City Planning Division (Heritage Preservation Services).

Community Benefit:

- a. provide, prior to the issuance of the first above grade building permit, an indexed financial contribution to the City in the amount of \$1,000,000 (minimum) to be used for capital improvements for the Yonge Center for the Performing Arts, Toronto Artscape's facilities at Gooderham and Worts and neighbourhood streetscape beyond the site to the satisfaction of Chief Planner and Executive Director, City Planning Division.

Development Matters:

The following development matters shall be addressed during the site plan approval process for the development. These matters are not characterized as community benefits, but are secured using the legal mechanism provided under Section 37 of the Planning Act.

- a. a reserved area within the proposed "Ribbon" building at the terminus of Trinity Street for a future pedestrian connection that may be constructed to link Gooderham and Worts to the Lower Donlands and Lake Ontario, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- b. reasonable commercial efforts to obtain LEED certification of the development and provide documentation respecting the certification process for the development to the City;
- c. implementation of the submitted Green Development Standard Checklist date stamped as received by the City Planning Division on June 20, 2007, and prior to condominium registration provide documentation respecting its implementation to the City;
- d. exterior building materials to be used in the construction of the buildings, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, acting reasonably;
- e. requirements to incorporate wind mitigation measures and noise mitigation

measures, as required, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- f. railway mitigation measures including a crash wall/berm in accordance with GO Transit requirements;
 - g. improvements/upgrades to municipal infrastructure, if required, to service the development to the satisfaction of the Executive Director, Technical Services Division; and
 - h. direct that the local capital improvement portion of the cash-in-lieu of parkland payment (i.e. 25%) made pursuant to Section 42 of the Planning Act with respect to the development be directed to improvements to Parliament Square Park on the west side of Parliament Street at Mill Street.
5. City Council advise the applicant that it is required in accordance with Section 41 of the Planning Act or Section 114 of the City of Toronto Act, 2006, as applicable, to enter into a site plan approval process to resolve outstanding technical issues and provide supporting material including:
- a. a detailed wind study;
 - b. a detailed noise study;
 - c. a phasing and parking relocation schedule; and
 - d. GO Transit information regarding crash wall/berm, fencing, servicing review of proposed alterations to the existing drainage pattern.
6. City Council approve, in the event that a settlement can be reached on the appeal of the Official Plan and Zoning By-law Amendment application, the alterations to the heritage property at 55 Mill Street (Distillery District), substantially in accordance with the plans and drawings prepared by Architects Alliance, dated June 1, 2008 and date stamped received by the City Planning Division on June 23, 2008, and on file with the Manager, Heritage Preservation Services subject to the applicant:
- a. prior to the Ontario Municipal Board issuing its Order giving final approval to a settlement of the appeal of the Official Plan and Zoning By-law Amendment application:

providing a detailed Conservation Plan, prepared by a qualified heritage architect to the satisfaction of the Manager, Heritage Preservation Services that includes: documentation through photographs of the as-found condition of Rack Houses G and J including photographs of the interior roof structure and racking system, Building 63 (Paint Shop), and Building 74 (Case Goods Warehouse), all as pertaining to the Reasons for Identification; detailed descriptions / specifications for all proposed heritage conservation work including measures to be taken to protect all heritage structures within and adjacent to the development

site during construction; an exterior lighting and signage plan; and an estimate of costs for the implementation of the Conservation Plan;

- b. prior to the issuance of any building permit for the subject development, including a permit for demolition, excavation and /or shoring of the subject property;

providing a Letter of Credit in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure the work identified in the Conservation Plan;

providing a detailed landscape plan including all at and above-grade outdoor amenity space that is proposed as part of the subject development, as well as an exterior lighting plan and a signage plan all to the satisfaction of the Manager, Heritage Preservation Services;

providing building permit drawings to the satisfaction of the Manager, Heritage Preservation Services; and

- c. prior to the release of the Letter of Credit;

completing the heritage conservation work, satisfactory to the Manager, Heritage Preservation Services.

- 7. Council approves the following resolutions which amend certain motions above on the condition that they constitute a settlement position, such that none of these matters remain in dispute (except possibly item (a) as set forth below):

- a. Notwithstanding the approval to alter a designated heritage property described in the Report dated June 25, 2008 from the Director, Policy and Research, City Planning Division, in the event that it has been demonstrated to the satisfaction of the Manager of Heritage Preservation Services, acting reasonably and after consultation with the Toronto Preservation Board at its meeting of October 23, 2008, that it is not feasible and practical to retain, in situ, the north (Tank House Lane) elevations of both Rack Houses and the Cherry Street elevation of Rack House J, these features may be removed and rebuilt during the construction process. The applicant's consultants will provide Heritage Preservation Services with a report on this issue no later than October 1, 2008. It is understood that if the applicant and the City do not reach agreement on this one issue prior to the OMB hearing date of October 27, 2008, this issue may be contested at the hearing. This approval is on condition that the Manager of Heritage Preservation Services report to Council at its meeting on October 29 and 30, 2008 referencing the recommendation of the Toronto Preservation Board, and the City Solicitor request the Ontario Municipal Board not to address the cultural heritage component of the hearing until after Council's meeting on October 29 and 30, 2008.

- b. Notwithstanding the resolution arising from recommendation 1(a) of the Report

dated June 25, 2008, from the Director, Policy and Research, City Planning Division, the required Conservation Plan in respect of cultural heritage matters shall be provided to the satisfaction of the Manager of Heritage Preservation Services prior to the approval of the site plan required for the proposed development.

- c. The public art contribution required as a community benefit in connection with the proposed development shall be capped such that it can not exceed \$900,000.
 - d. The parkland contribution required in connection with the proposed development shall be capped at this time such that it can not exceed \$1,700,000 and recommendation 4 of the Toronto East York Community Council Item TE18.7 under the heading "Development Matters" clause (h) addressing the parkland payment shall be revised to indicate that improvements may also be directed toward "other local parks".
 - e. Recommendation 4 of the Toronto East York Community Council TE18.7 under the heading "Community Benefit" be revised to add: "provided that the manner in which the funds spent on the capital improvements is agreed to by the City, the owner and the tenant, each acting reasonably, and the funds spent on the street improvements are spent in the vicinity of the Gooderham and Worts site, after consultation with the owner and the community".
 - f. The Section 37 Agreement, the Secondary Plan and the Zoning By-law will be amended to permit the modifications to the Distillery District Site Interpretation Programme as outlined in the Distillery District Site Interpretation 10 Year Review report dated November 14, 2007 and prepared by E.R.A. Architects.
8. City Council direct that during the Site Plan process, the possibility of a railway vegetation corridor and the planting of trees to shade pedestrian accessible areas be explored.
 9. City Council authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above recommendations.

Confidential Attachment 1 to the report (September 25, 2008) from the City Solicitor (TE18.7c) remains confidential, with the exception of the following Proposed Revisions contained in the applicant's Settlement Letter which was attached to the City Solicitor's report, in accordance with the provision of the City of Toronto Act, 2006, as Confidential Attachment 1 contains information related to litigation or potential litigation that affects the City or one of its agencies, boards and commissions, and advice that is subject to solicitor-client privilege:

Proposed Revisions

1. Council replaces recommendation 4(i)(c) of the Toronto East York Community Council Item TE18.7 with the following:

“4(i)(c) in lieu of (a) and (b) above, the applicant has obtained the approval of the relevant Provincial Ministries under policy 3.1.3(a) of the Provincial Policy Statement, 2005 to the proposed change or modification to the site specific Official Plan policies applying to a Special Policy Area in order to permit the proposed residential uses and the applicant has established measures satisfactory to the City Solicitor that there shall be no occupancy of the residential component of the development proposal until the earliest of January 2011 or completion of the landform feature currently under construction just east of the site. The development proposal shall be subject to the 1:350 floodproofing requirement as described in policy 8 of subsection 15 of the King Parliament Secondary Plan if the lands are still in the floodplain at the time of the building permit; however, if the landform feature is completed and the lands are no longer located within the floodplain, the building permit can be amended to remove the 1:350 floodproofing requirement. The applicant shall provide its indemnity and insurance covenant to the satisfaction of the City and, if requested, to the Province.

2. Council approves the following resolutions on the condition that they constitute a settlement position, such that none of these matters remain in dispute (except possibly item (a) as set forth below):
 - a. Notwithstanding the approval to alter a designated heritage property described in the Report dated June 25, 2008 from the Director, Policy and Research, City Planning Division, in the event that it has been demonstrated to the satisfaction of the Manager of Heritage Preservation Services, acting reasonably and after consultation with the Toronto Preservation Board at its meeting of October 23, 2008, that it is not feasible and practical to retain, in situ, the north (Tank House Lane) elevations of both Rack Houses and the Cherry Street elevation of Rack House J, these features may be removed and rebuilt during the construction process. The applicant's consultants will provide Heritage Preservation Services with a report on this issue no later than October 1, 2008. It is understood that if the applicant and the City do not reach agreement on this one issue prior to the OMB hearing date of October 27, 2008, this issue may be contested at the hearing.
 - b. Notwithstanding the resolution arising from recommendation 1(a) of the Report dated June 25, 2008, from the Director, Policy and Research, City Planning Division, the required Conservation Plan in respect of cultural heritage matters shall be provided to the satisfaction of the Manager of Heritage Preservation Services prior to the approval of the site plan required for the proposed development.
 - c. The public art contribution required as a community benefit in connection with the proposed development shall be capped such that it can not exceed \$900,000.
 - d. The parkland contribution required in connection with the proposed development shall be capped at this time such that it can not exceed \$1,700,000 and recommendation 4 of the Toronto East York Community Council Item

TE18.7 under the heading “Development Matters” clause (h) addressing the parkland payment shall be revised to indicate that improvements may also be directed toward “other local parks”.

- e. Recommendation 4 of the Toronto East York Community Council TE18.7 under the heading “Community Benefit” be revised to add: “provided that the manner in which the funds spent on the capital improvements is agreed to by the City, the owner and the tenant, each acting reasonably, and the funds spent on the street improvements are spent in the vicinity of the Gooderham and Worts site, after consultation with the owner and the community”.
- f. The Section 37 Agreement, the Secondary Plan and the Zoning By-law will be amended to permit the modifications to the Distillery District Site Interpretation Programme as outlined in the *Distillery District Site Interpretation 10 Year Review* report dated November 14, 2007 and prepared by E.R.A. Architects.

Statutory - Planning Act, RSO 1990

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

(August 19, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board hearing in support of the revised application for an Official Plan amendment and rezoning to permit the development of 40, 35 and four-storey buildings as set out on the drawings date stamped as received by the City Planning Division on June 23, 2008, subject to the conditions included in Recommendations 2, 3 and 4.
2. City Council authorize the City Solicitor to request the Ontario Municipal Board to amend:
 - i. the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment 6; and
 - ii. Zoning By-law 1994-0396 and 438-86 as required substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 7.
3. City Council authorize the City Solicitor and Chief Planner and Executive Director, City Planning Division, to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required to implement the intent of this report.

4. City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold its Final Order approving the Official Plan Amendment and Zoning By-law Amendment until it receives written confirmation from the City Solicitor that the following conditions set out in (i), (ii) and (iii) below have been satisfied:

i. Flood Protection

- a. the landform feature currently being constructed for the Province by the Ontario Realty Corporation is completed such that the measures relating to floodplain protection in a special policy area (“SPA”) in the applicable Official Plan are no longer necessary in relation to these lands, all to the satisfaction of the Toronto and Region Conservation Authority and the Provincial Ministries having jurisdiction over such matters; and
- b. the applicable Official Plan has been amended to remove the SPA designation for the western portion of the Lower Don Area. OR
- c. in lieu of (a) and (b) above, the applicant has obtained the permission of the relevant Provincial Ministries to permit the amendment of the applicable Official Plan and to permit residential uses within the SPA (prior to completion of the landform feature).

ii. Servicing Matters

The applicant address the following servicing issues to the satisfaction of the Executive Director, Technical Services Division:

- a. provide a water demand analysis with recent hydrant testing to demonstrate that the existing municipal infrastructure can support this development;
- b. provide detailed calculations for the sanitary sewer to demonstrate that the existing municipal infrastructure can support this development;
- c. because the City’s Wet Weather Flow Management Guidelines with respect to the 100-year level of protection for stormwater quantity has not been addressed, the applicant shall provide documentation from the Toronto and Region Conservation Authority that quantity control is not required. The applicant shall provide documentation showing compensation protection for storms above the two-year; and
- d. provide all calculations with respect to stormwater quantity control.

iii. Section 37 Agreement

The applicant enter into an agreement under Section 37 of the Planning Act to amend the existing Section 37 Agreement for Gooderham and Worts,

satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:

Heritage & Archaeology:

- a. provision of a detailed Conservation Plan, prepared by a qualified heritage architect to the satisfaction of the Manager of Heritage Preservation Services, to include: documentation through photographs of the as-found condition of Rack Houses "G" and "J" including photographs of the interior roof structure and racking system, Building 63 (Paint Shop), and Building 74 (Case Goods Warehouse), all as pertaining to the Reasons for Identification; detailed descriptions / specification for all proposed heritage conservation work including measures to be taken to protect all heritage structures within an area adjacent to the development site during construction; an exterior lighting and signage plan; and an estimate of costs for the implementation of the Conservation Plan;
- b. provide a Letter of Credit in a form and an amount satisfactory to the Manager of Heritage Preservation Services, to secure the work identified in the Conservation Plan;
- c. provide a detailed landscape plan including all at and above-grade outdoor amenity space that is proposed as part of the development, to the satisfaction of the Manager of Heritage Preservation Services;
- d. provide building permit drawings to the satisfaction of the Manager of Heritage Preservation Services;
- e. prior to the release of the Letter of Credit, the applicant is to complete the heritage conservation work to the satisfaction of the Manager of Heritage Preservation Services;
- f. retain a consultant archaeologist, licensed by the Province's Ministry of Culture, to provide an update to the materials cited in the existing Section 37 Agreement for Gooderham and Worts, being Report No. 1 "Aboriginal and Early European Settlement" and Report No. 6 "Industrial Heritage Assessment of the Heritage Master Plan" which together constituted a Stage 1 Archaeological Assessment in accordance with the Archaeological Assessment Technical Guidelines, 1993, Ministry of Culture. This Stage 1 Archaeological Assessment update is to be in accordance with the Final Draft - Standards and Guidelines for Consulting Archaeologists, September 2006, Ministry of Culture such that:
 - i. the consultant archaeologist shall submit any recommendations

for Stages 2 - 4 mitigation strategies, should the archaeological assessment proceed beyond a Stage 1 Assessment, to the City Planning Division (Heritage Preservation Services) to be approved prior to commencement of the site mitigation and any construction activities, including excavation, for the development;

- ii. the consultant archaeologist shall submit a copy of the relevant assessment report(s) to City Planning Division (Heritage Preservation Services) in both hard copy format and as an Acrobat PDF file;
- iii. prior to the issuing of any building permits including an excavation permit, the City Planning Division (Heritage Preservation Services) and the Ministry of Culture (Heritage Operations Unit), shall confirm in writing that all archaeological licensing and technical review requirements have been satisfied; and
- iv. prior to the release of the Letter of Credit, the applicant shall incorporate into the development, through preservation and interpretation or through commemoration and exhibition development, any significant archaeological resources and findings on site to the satisfaction of the City Planning Division (Heritage Preservation Services).

Community Benefit:

- a. provide, prior to the issuance of the first above grade building permit, an indexed financial contribution to the City in the amount of \$1,000,000 (minimum) to be used for capital improvements for the Yonge Center for the Performing Arts, Toronto Artscape's facilities at Gooderham and Worts and neighbourhood streetscape beyond the site to the satisfaction of Chief Planner and Executive Director, City Planning Division.

Development Matters:

The following development matters shall be addressed during the site plan approval process for the development. These matters are not characterized as community benefits, but are secured using the legal mechanism provided under Section 37 of the Planning Act.

- a. a reserved area within the proposed "Ribbon" building at the terminus of Trinity Street for a future pedestrian connection that may be constructed to link Gooderham and Worts to the Lower Donlands and Lake Ontario, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- b. reasonable commercial efforts to obtain LEED certification of the development and provide documentation respecting the certification process for the development to the City;
 - c. implementation of the submitted Green Development Standard Checklist date stamped as received by the City Planning Division on June 20, 2007, and prior to condominium registration provide documentation respecting its implementation to the City;
 - d. exterior building materials to be used in the construction of the buildings, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, acting reasonably;
 - e. requirements to incorporate wind mitigation measures and noise mitigation measures, as required, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - f. railway mitigation measures including a crash wall / berm in accordance with GO Transit requirements;
 - g. improvements/upgrades to municipal infrastructure, if required, to service the development to the satisfaction of the Executive Director, Technical Services Division;
 - h. direct that the local capital improvement portion of the cash-in-lieu of parkland payment (i.e. 25%) made pursuant to Section 42 of the Planning Act with respect to the development be directed to improvements to Parliament Square Park on the west side of Parliament Street at Mill Street; and
5. City Council advise the applicant that it is required in accordance with Section 41 of the Planning Act or Section 114 of the City of Toronto Act, 2006, as applicable, to enter into a site plan approval process to resolve outstanding technical issues and provide supporting material including:
- a. a detailed wind study;
 - b. a detailed noise study;
 - c. a phasing and parking relocation schedule; and
 - d. GO Transit information regarding crash wall/berm, fencing, servicing review of proposed alterations to the existing drainage pattern.
6. City Council approve, in the event that a settlement can be reached on the appeal of the Official Plan and Zoning By-law Amendment application, the alterations to the heritage property at 55 Mill Street (Distillery District), substantially in accordance with the plans and drawings prepared by Architects Alliance, dated June 1, 2008 and date stamped received by the City Planning Division on June 23, 2008, and on file with the Manager,

Heritage Preservation Services subject to the applicant:

- a. prior to the Ontario Municipal Board issuing its Order giving final approval to a settlement of the appeal of the Official Plan and Zoning By-law Amendment application:

providing a detailed Conservation Plan, prepared by a qualified heritage architect to the satisfaction of the Manager, Heritage Preservation Services that includes: documentation through photographs of the as-found condition of Rack Houses G and J including photographs of the interior roof structure and racking system, Building 63 (Paint Shop), and Building 74 (Case Goods Warehouse), all as pertaining to the Reasons for Identification; detailed descriptions / specifications for all proposed heritage conservation work including measures to be taken to protect all heritage structures within and adjacent to the development site during construction; an exterior lighting and signage plan; and an estimate of costs for the implementation of the Conservation Plan;

- b. prior to the issuance of any building permit for the subject development, including a permit for demolition, excavation and /or shoring of the subject property;

providing a Letter of Credit in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure the work identified in the Conservation Plan;

providing a detailed landscape plan including all at and above-grade outdoor amenity space that is proposed as part of the subject development, as well as an exterior lighting plan and a signage plan all to the satisfaction of the Manager, Heritage Preservation Services;

providing building permit drawings to the satisfaction of the Manager, Heritage Preservation Services;

- c. prior to the release of the Letter of Credit;

completing the heritage conservation work, satisfactory to the Manager, Heritage Preservation Services.

7. City Council direct that during the Site Plan process, the possibility of a railway vegetation corridor and the planting of trees to shade pedestrian accessible areas be explored.

8. City Council authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above recommendations.

Committee Decision Advice and Other Information

The Toronto and East York Community Council held a statutory public meeting on

September 9, 2008 and notice was given in accordance with the *Planning Act*.

Summary

The applicant has appealed the Official Plan Amendment and rezoning application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision within the time allotted by the *Planning Act*. A pre-hearing conference was held on May 20, 2008 and a second pre-hearing conference is scheduled for September 12, 2008. A hearing is set to commence on October 27, 2008.

Since the appeal the applicant has submitted revised application to the City and advised the Ontario Municipal Board at the May 20 pre-hearing conference of the revised application.

The revised application seeks permission for two high-rise residential buildings of 40 and 35 storeys, a four-storey commercial/office building and retention of historic Rack Houses "G" and "J", all located to the south of TankHouse Lane; west of Cherry Street; north of the TTR and CN Railway and east of Trinity Street within Gooderham and Worts. The proposed development will include up to 669 residential units with permission for non-residential uses (e.g. office and retail) in the four-storey building and on the ground floor of the residential towers.

This report seeks Council's authorization for the City Solicitor and appropriate City staff to attend the Ontario Municipal Board in support of the revised application, subject to a recommendation requesting the Ontario Municipal Board withhold its Order until specified flood protection measures are finalized, community benefits within Section 37 Agreement have been agreed too and archaeological, heritage and servicing issues have been addressed.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15122.pdf>

Background Information (City Council)

(September 25, 2008) supplementary report from the City Solicitor (TE18.7c)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15963.pdf>

Communications (Committee)

(September 8, 2008) e-mail from Steven Talsky (TE.New.TE18.7.1)

(September 9, 2008) letter from Michael McClelland (TE.New.TE18.7.2)

Speakers (Committee)

Lester Brown, Gooderham and Worts Neighbourhood Association

Chris Horne

Michael McClelland, E. R. A. Architects

7a Approval of Alterations to Designated Heritage Property - Part of 55 Mill Street (Distillery District)

(July 18, 2008) Report from Director, Policy and Research, City Planning Division

Summary

This report recommends that City Council approve the alterations to the historic Rack Houses G and J, part of the designated heritage property at 55 Mill Street, formerly the Gooderham and Worts Distillery, in accordance with the proposed Official Plan Amendment and Rezoning application described in this report. The development proposes 52,807 square metres of new residential gross floor area, and 14,754 square metres of non-residential gross floor area, in the southeast quadrant of the District.

The applicant has appealed the Official Plan and Zoning By-law Amendment application to the Ontario Municipal Board. A prehearing conference was held on May 20, 2008 and a second prehearing conference is scheduled for September 12, 2008 with a ten-day hearing scheduled to commence on October 27, 2008. The City and the applicant are working to resolve outstanding issues with the application in order to reach a settlement.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14843.pdf>

Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14844.pdf>

Attachment 2a

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14845.pdf>

Attachment 2b

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14848.pdf>

Attachment 2c

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14849.pdf>

Attachment 2d

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14850.pdf>

Attachment 2e

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14851.pdf>

Attachment 2f

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14852.pdf>

Attachment 3

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14846.pdf>

Attachment 4a

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14847.pdf>

Attachment 4b

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14853.pdf>

Attachment 5

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14854.pdf>

Attachment 6

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14855.pdf>

Attachment 7

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14856.pdf>

Attachment 8

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14857.pdf>

Attachment 9 & 10

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14858.pdf>

7b Approval of Alterations to Designated Heritage Property - Part of 55 Mill Street (Distillery District)

(July 18, 2008) Letter from Toronto Preservation Board

Summary

For consideration with the report (June 25, 2008) from the Director, Policy and Research, City Planning Division.

Background Information (Committee)

Letter

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14842.pdf>

TE18.8	Amended			Ward: 21
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Directions Report - Rezoning Application - 1145 Ossington Avenue

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1 to the report (September 22, 2008) from the City Solicitor (TE18.8a).
2. City Council authorize the public release of the adopted recommendations at the end of the Council meeting.

The following recommendations contained in Confidential Attachment 1 to the report (September 22, 2008) from the City Solicitor (TE18.8a), are now public. The balance of Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation and advice or communications that are subject to solicitor-client privilege:

1. Council not accept the settlement offer for a revised development proposal, shown in the Revised Plans.
2. Council instruct the City Solicitor and appropriate staff to seek through settlement negotiations, mediation before the OMB, or at a contested OMB hearing, as the case may be, agreement to or approval of a development that is in keeping with the City's Development Infrastructure Policy and Standards (DIPS) and provides the appropriate height transition towards the adjacent residential lots and/or refusal of the proposal in its

current form.

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

(August 13, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council submits this matter to Council without recommendation.

Committee Decision Advice and Other Information

The Toronto and East York Community Council requested the Acting Director, Community Planning, Toronto and East York District, in consultation with appropriate staff, to continue to seek a settlement with the applicant, and report directly to Council.

Summary

This application was made on or after January 1, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

On June 3, 2008, the applicant appealed the Zoning By-law application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision within the time allotted by the *Planning Act*.

The application before the OMB is to permit 43 freehold townhome units at 1145 Ossington Avenue. Eleven units are proposed to front onto Ossington Avenue and the remaining 32 units are proposed to front onto a new private street, internal to the site, with access off of Ossington Avenue.

The applicant's solicitor requested OMB mediation to explore a possible settlement, for which a date has not been set.

This report seeks Council's direction to attend OMB mediation with the appellant. Should City staff not reach a settlement with the appellant, Council's direction is required to attend a hearing in opposition to the appeal.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14948.pdf>

Background Information (City Council)

(September 22, 200) supplementary report from the City Solicitor (TE18.8a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15908.pdf>

Communications (Committee)

(September 6, 2008) e-mail from Arlene and Niv Biran (TE.New.TE18.8.1)

Communications (City Council)

(September 9, 2008) e-mail from Angie Rossi and Pat Rossi (CC.Main.TE18.8.2)

TE18.9	Amended			Ward: 30
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Request for Directions Report - Rezoning Application and Site Plan Control Application - 1201 Dundas Street East

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council adopt Recommendation 1 contained in Confidential Attachment 1 to the report (September 23, 2008) from the City Solicitor (TE18.9b).
2. City Council authorize the public release of the adopted recommendation at the end of the Council meeting.

The following Recommendation 1 contained in Confidential Attachment 1 to the report (September 23, 2008) from the City Solicitor (TE18.9b), is now public. The balance of Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains advice or communications that are subject to solicitor-client privilege:

1. Council accept the settlement offer, substantially in accordance with the Revised Plans, which include the following revisions:
 - a. removal of the penthouse residential unit and reconfiguration of the mechanical penthouse to include a 3 metre stepback along the south side of the proposed building;
 - b. consolidated loading/access to 1 access point along the Dundas Street East frontage;
 - c. a reconfigured access/loading design that permits front in and front out movement so as to accommodate City solid waste pick up;
 - d. increased outdoor amenity space on the roof-top that meets the requirements of the underlying zoning by-law; and
 - e. a total of five (5) street trees along the Dundas Street East frontage;

on condition that the applicant work with the City to provide a green roof and to secure appropriate building materials.

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

(September 5, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council submits this matter to Council without recommendation.

Committee Decision Advice and Other Information

The Toronto and East York Community Council requested the Acting Director, Community Planning, Toronto and East York District, in consultation with appropriate staff, to continue to work with the applicant towards a possible settlement on the outstanding related items:

1. entrances and exits to parking;
2. building height and transition; and
3. amenity space

and report directly to Council.

Summary

The application for zoning by-law amendment was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006. The applicant appealed the zoning by-law and site plan applications to the Ontario Municipal Board (OMB) due to Council's failure to make a decision within the time allotted by the Planning Act. The purpose of this report is to seek City Council's direction for the hearing of the appeal which is scheduled for October 21-24, 2008. On August 20, 2008, staff received revised plans.

The applicant proposes to construct an 11 storey building, including mechanical penthouse, at 1201 Dundas Street East, containing employment uses on the first 2 floors, and 85 residential units above. Owners would be permitted to both live and work within the residential units.

This report recommends that the subject proposal be opposed in its current form, however, staff should continue discussions with the applicant in an attempt to resolve the outstanding matters as outlined in this report.

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15495.pdf>)

Background Information (City Council)

(September 23, 2008) supplementary report from the City Solicitor (TE18.9b)
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15909.pdf>

Speakers (Committee)

Kim Kovar, Aird and Berlis, LLP

9a Direction Report - Rezoning and Site Plan Applications - 1201 Dundas Street East

(August 21, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Summary

On December 28, 2007 Aird and Berlis LLP, on behalf of Front and Sher Auto Repairs Ltd. applied for a Zoning By-law amendment to construct a 12 storey building containing employment uses on the first 2 floors, and 91 residential units above. Typical unit sizes included 1 bedroom units (62 square metres) and 2 bedroom units (111 square metres). The applicant revised their proposal on April 10, 2008, reducing the height of the building to 11 storeys including mechanical penthouse, and reducing the number of residential units to 85. Owners would be allowed to both live and work within these residential units.

The proposed total gross floor area is 7,926 square metres or 6.8 times the area of the lot and the proposed height is 34 metres inclusive of mechanical penthouse. A total of 62 parking spaces located in 3 levels of underground parking is proposed which includes 1 car share space.

The applicant appealed the zoning by-law amendment application to the Ontario Municipal Board on May 30, 2008, due to Council's failure to make a decision respecting the application within 120 days. On August 20, 2008 the applicant appealed the site plan application to the OMB and is requesting a consolidation of both zoning amendments and site plan. A hearing date has been set for October 21-24, 2008.

On August 20, 2008 the applicant submitted revised drawings. Staff have not had the opportunity to review the revised drawings. Staff would like to provide Toronto and East York Committee Council with a comprehensive review and appropriate recommendations for the scheduled OMB hearing. Therefore, staff are preparing a Directions Report which will be before Committee on September 9, 2008.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15139.pdf>

TE18.22	Adopted			Ward: 22
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Residential Demolition Application - 359-377 Roehampton Avenue

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council approve the application to demolish the residential building at 359-377 Roehampton Avenue and instruct the Chief Building Official to issue the demolition permit on condition that:
 - a. prior to the issuance of the demolition permit, the applicant submit a Designated Substance Report, a Dust Control Plan and other information, if any, required for review and approval by the Medical Officer of Health;
 - b. the Owner removes all debris and rubble from the site immediately after demolition;
 - c. the Owner erect a fence in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
 - d. the Owner maintain the site free of garbage and weeds, in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B;
 - e. the Owner erect a replacement building on the site not later than two (2) years from the day demolition of the existing building is commenced;
 - f. the Owner backfill any holes on the property with clean fill; and
 - g. on the Owner's failure to complete the new building within the time specified in Condition 1e., the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty-thousand (\$20,000.00) dollars for each dwelling unit contained in the building in respect of which the demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

(August 5, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council approve the application to demolish the residential building at 359-377 Roehampton Avenue and instruct the Chief Building Official to issue the demolition

permit on the condition that:

- a. Prior to the issuance of the demolition permit, the applicant submit a Designated Substance Report, a Dust Control Plan and other information, if any, required for review and approval by the Medical Officer of Health;
- b. The Owner removes all debris and rubble from the site immediately after demolition;
- c. The Owner erect a fence in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
- d. The Owner maintain the site free of garbage and weeds, in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B;
- e. The Owner erect a replacement building on the site not later than two (2) years from the day demolition of the existing building is commenced;
- f. The Owner backfill any holes on the property with clean fill; and
- g. On the Owner's failure to complete the new building within the time specified in Condition 1(e), the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty-thousand (\$20,000) dollars for each dwelling unit contained in the building in respect of which the demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

Summary

This application proposes to demolish two four-plex rental apartment buildings (8 residential units) and a detached dwelling, pursuant to Section 33 of the *Planning Act*.

The Ontario Municipal Board issued its decision, on March 3, 2008, to permit the construction of two multi-unit residential buildings and 3 attached rowhouses containing a total of 15 dwelling units. The demolition of the existing buildings is required to construct the new residential buildings.

Planning staff recommend the approval of the application to demolish the existing buildings, subject to specified conditions.

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14836.pdf>)

TE18.23	Adopted			Ward: 32
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Refusal Report - Official Plan Amendment, Rezoning and Site Plan Applications - 2-4 Neville Park Boulevard and 438-440 Lakefront Lane

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council refuse the proposed Official Plan Amendment, Zoning By-law Amendment and Site Plan Control applications for the reasons outlined in the report (August 15, 2008) from the Acting Director, Community Planning, Toronto and East York District.
2. In the case that the applications are appealed to the Ontario Municipal Board, the City Solicitor and City staff be authorized to appear before the Ontario Municipal Board in support of Council's refusal.

(August 15, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council refuse the proposed Official Plan Amendment, Zoning By-law Amendment and Site Plan Control applications for the reasons outlined in the report (August 15, 2008) from the Acting Director, Community Planning, Toronto and East York District; and
2. In the case that the applications are appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board in support of Council's refusal.

Summary

This application was made on or after January 1, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This report recommends refusal of the Official Plan and Zoning By-law amendment and Site Plan Approval applications to develop a 4-storey residential building and 1 detached house at 2 and 4 Neville Park Boulevard and 438 and 440 Lakefront Lane, and seeks Council's direction for staff to attend the Ontario Municipal Board in opposition to the development should the application be appealed.

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15101.pdf>)

Communications (Committee)

- (September 2, 2008) letter from Alan Demb (TE.Main.TE18.23.1)
- (September 3, 2008) e-mail from Philip Wake (TE.Main.TE18.23.2)
- (September 8, 2008) e-mail from Robert Shapiro (TE.New.TE18.23.3)
- (September 8, 2008) e-mail from Bryan Bennett and Valerie March (TE.New.TE18.23.4)
- (September 8, 2008) e-mail from Yvette Navioz (TE.New.TE18.23.5)
- (September 5, 2008) letter from Patricia Graham (TE.New.TE18.23.6)
- (September 8, 2008) e-mail from David Brown (TE.New.TE18.23.7)
- (April 8, 2008) petition from Christian Huggett, Sweeny Sterling Finlayson and Co Architects (TE.New.TE18.23.8)
- (September 9, 2008) e-mail from Robert Harrott (TE.New.TE18.23.9)
- (September 9, 2008) letter from Randy Christopher (TE.New.TE18.23.10)

Communications (City Council)

- (September 9, 2008) e-mail from Kathryn E. Russell (CC.Main.TE18.23.11)
- (September 9, 2008) e-mail from Hilarie Morin (CC.Main.TE18.23.12)
- (September 9, 2008) e-mail from Harold Tabone (CC.Main.TE18.23.13)
- (September 9, 2008) e-mail from Patricia Tabone, Executive Recruiter, North American Findings Ltd. (CC.Main.TE18.23.14)
- (September 9, 2008) e-mail from Dale Heckman (CC.Main.TE18.23.15)
- (September 9, 2008) e-mail from Scott Cuthbertson (CC.Main.TE18.23.16)
- (September 9, 2008) e-mail from Liane de Lotbinière (CC.Main.TE18.23.17)
- (September 9, 2008) e-mail from Lynn Wells, Chair, Eastern Beaches Off-Leash Association (CC.Main.TE18.23.18)
- (September 9, 2008) e-mail from Jennifer Base (CC.Main.TE18.23.19)
- (September 9, 2008) e-mail from Jackie Gaudaur (CC.Main.TE18.23.20)
- (September 10, 2008) e-mail from Elizabeth Berry (CC.Main.TE18.23.21)

Speakers (Committee)

Dermot Sweeny, Sweeny Sterling Finlayson and Co. Architects
 Peter Trebuss
 Scott Prokosch
 Ed Burns
 Phil Bastow
 Steve Ottaway, Beach Lakefront Neighbourhood Association
 Mike Brady
 Leanne Rapley, Beach Lakefront Neighbourhood Association
 Frans Blom
 Mark Pearson

TE18.61	Adopted			Ward: 32
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Final Report - Part Lot Control - 177-185 Boardwalk Drive

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council enact a part lot control exemption by-law with respect to the subject property for Block 139 of Plan 66M-2311 to be prepared to the satisfaction of the City Solicitor and to expire one year from the date of its passing.
2. City Council require the Owner to provide staff with proof of payment of all current property taxes for the subject lands, prior to the enactment of the part lot control exemption by-law.

(August 12, 2008) Report from Acting Director, Community Planning, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council enact a part lot control exemption by-law with respect to the subject property for Block 139 of Plan 66M-2311 to be prepared to the satisfaction of the City Solicitor and to expire one year from the date of its passing.
2. City Council require the Owner to provide staff with proof of payment of all current property taxes for the subject lands prior to the enactment of the part lot control exemption by-law.

Summary

This application was made on or after January 1, 2007, and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

An application has been submitted to permit exemption from part lot control for the properties at 177, 179, 181, 183 and 185 Boardwalk Drive, to allow the development of 2 pairs of semi-detached houses and 1 detached house. This report recommends that a part lot control exemption by-law be enacted for a period of one year.

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14955.pdf>)

TE18.68	Adopted			Ward: 18
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Installation of On-Street Parking Space for Persons with Disabilities - Symington Avenue

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council approve the installation of an on-street parking space for persons with disabilities on the west side of Symington Avenue, between a point 51 metres south of Antler Street and a point 5.5 metres further south.

(August 15, 2008) Report from Director, Transportation Services, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that City Council:

1. Approve the installation of an on-street parking space for persons with disabilities on the west side of Symington Avenue, between a point 51 metres south of Antler Street and a point 5.5 metres further south.

Financial Impact

Type of funding	Source of funds	Amount
Available within current budget	Transportation Services Division 2008 Operating Budget	\$300.00

Summary

The purpose of this report is to obtain approval for the installation of an on-street parking space for persons with disabilities on the west side of Symington Avenue, south of Antler Street.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15156.pdf>

TE18.69	Adopted			Ward: 20
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Proposed Passenger Loading Zone – Dundas Street West

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council rescind the parking prohibition in effect from 3:30 p.m. to 6:30 p.m., Monday to Friday, except Public Holidays, on the south side of Dundas Street West, between Beverley Street and a point 117 metres east thereof.
2. City Council rescind the parking prohibition in effect from 3:30 p.m. to 6:30 p.m., Monday to Friday, except Public Holidays, on the south side of Dundas Street West, between a point 137 metres east of Beverley Street and a point 39.2 metres west of McCaul Street.
3. City Council rescind the parking prohibition in effect at all times on the south side of Dundas Street, between McCaul Street and a point 62.5 metres west thereof.
4. City Council rescind the standing prohibition in effect at all times on the south side of Dundas Street West, between a point 117 metres east of Beverley Street and a point 20 metres further east thereof.
5. City Council rescind the one-hour maximum parking regulation in effect from 9:30 a.m. to 3:30 p.m., daily, on the north side of Dundas Street West, between Beverley Street and McCaul Street.
6. City Council rescind the one-hour maximum parking regulation in effect from 9:30 a.m. to 3:30 p.m., daily, on the south side of Dundas Street West, between Beverley Street and a point 62.5 metres west of McCaul Street.
7. City Council prohibit standing at all times on the south side of Dundas Street West, between Beverley Street and a point 95 metres east thereof.
8. City Council prohibit parking from 3:30 p.m. to 6:30 p.m., Monday to Friday, except Public Holidays, on the south side of Dundas Street West, between a point 95 metres east of Beverley Street and McCaul Street.
9. City Council authorize the operation of parking machines from 9:30 a.m. to 3:30 p.m. Monday to Friday, from 8:00 a.m. to 9:00 p.m. Saturday, and from 1:00 p.m. to 9:00 p.m. Sunday, for a maximum period of 1.5 hours, and from 6:30 p.m. to 9:00 p.m. Monday to Friday, for a maximum period of 2.5 hours, at a rate of \$2.00 per hour on the south side of Dundas Street West, between a point 95 metres east of Beverley Street and McCaul Street.

(August 14, 2008) Report from Director, Transportation Services Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that City Council:

1. Rescind the parking prohibition in effect from 3:30 p.m. to 6:30 p.m., Monday to Friday, except Public Holidays, on the south side of Dundas Street West, between Beverley Street and a point 117 metres east thereof.
2. Rescind the parking prohibition in effect from 3:30 p.m. to 6:30 p.m., Monday to Friday, except Public Holidays, on the south side of Dundas Street West, between a point 137 metres east of Beverley Street and a point 39.2 metres west of McCaul Street.
3. Rescind the parking prohibition in effect at all times on the south side of Dundas Street, between McCaul Street and a point 62.5 metres west thereof.
4. Rescind the standing prohibition in effect at all times on the south side of Dundas Street West, between a point 117 metres east of Beverley Street and a point 20 metres further east thereof.
5. Rescind the one-hour maximum parking regulation in effect from 9:30 a.m. to 3:30 p.m., daily, on the north side of Dundas Street West, between Beverley Street and McCaul Street.
6. Rescind the one-hour maximum parking regulation in effect from 9:30 a.m. to 3:30 p.m., daily, on the south side of Dundas Street West, between Beverley Street and a point 62.5 metres west of McCaul Street.
7. Prohibit standing at all times on the south side of Dundas Street West, between Beverley Street and a point 95 metres east thereof.
8. Prohibit parking from 3:30 p.m. to 6:30 p.m., Monday to Friday, except Public Holidays, on the south side of Dundas Street West, between a point 95 metres east of Beverley Street and McCaul Street.
9. Authorize the operation of parking machines from 9:30 a.m. to 3:30 p.m. Monday to Friday, from 8:00 a.m. to 9:00 p.m. Saturday, and from 1:00 p.m. to 9:00 p.m. Sunday, for a maximum period of 1.5 hours, and from 6:30 p.m. to 9:00 p.m. Monday to Friday, for a maximum period of 2.5 hours, at a rate of \$2.00 per hour on the south side of Dundas Street West, between a point 95 metres east of Beverley Street and McCaul Street.

Financial Impact

Type of funding	Source of funds	Amount
Available within current budget	Transportation Services 2008 Operating Budget	\$1,000.00

Summary

Transportation Services is requesting approval to prohibit standing at all times on the south side of Dundas Street West, in front of the Art Gallery of Ontario, between Beverley Street and

McCaul Street.

The intent of this regulation is to provide a passenger loading zone for buses and motor vehicles to stop momentarily while in the process of picking-up/dropping-off patrons at the Art Gallery of Ontario.

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15233.pdf>)

Drawing

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15234.pdf>)

TE18.83	Adopted			Ward: 27
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Road Alterations - Yonge Street at Davenport Road/Church Street and Scollard Street

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council approve the following road alterations, generally as shown on the attached print of Drawing No. 421F-9260 dated April 2008:
 - a. narrowing Scollard Street, north side, westerly from Yonge Street;
 - b. widening Davenport Road, south side, westerly from Yonge Street; and
 - c. realigning the existing curb and removal of the existing right turn channel island on the southeast corner of Yonge Street and Church Street.
2. City Council rescind the prohibition of eastbound left turns from Davenport Road to Yonge Street at all times, concurrent with completion of these road alterations.

(August 19, 2008) Report from Director, Transportation Services, Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that City Council:

1. Approve the following road alterations, generally as shown on the attached print of Drawing No. 421F-9260 dated April 2008:
 - a. narrowing Scollard Street, north side, westerly from Yonge Street;

- b. widening Davenport Road, south side, westerly from Yonge Street; and
 - c. realigning the existing curb and removal of the existing right turn channel island on the southeast corner of Yonge Street and Church Street.
2. Rescind the prohibition of eastbound left turns from Davenport Road to Yonge Street at all times, concurrent with completion of these road alterations.

Financial Impact

The proposed pavement modifications to Scollard Street and the Yonge Street and Davenport Road/Church Street intersection are accommodated in the reconstruction budget for this location under the 2008 Transportation Services Capital Budget.

Summary

Transportation Services is seeking authority from City Council to remove the existing right turn channel island and realign the curb on the southeast corner of Yonge Street and Church Street, widen a portion of the roadway on Davenport Road west of Yonge Street, and narrow a portion of the roadway on Scollard Street, west of Yonge Street. This will provide needed roadway width for an exclusive eastbound left-turn lane on Davenport Road at Yonge Street while maintaining the area for the planned Frank Stollery Parkette.

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15191.pdf>)

Attachment 1 - Drawing

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15192.pdf>)

TE18.92	Adopted			Ward: 29
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Parking Amendment - Danforth Avenue just west of Ellerbeck Street

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council rescind the existing parking prohibition on the north side of Danforth Avenue from Ellerbeck Street to a point 56.5 Metres west thereof.

(August 14, 2008) Report from Director, Transportation Services Toronto and East York District

Committee Recommendations

The Toronto and East York Community Council recommends that City Council:

1. Rescind the existing parking prohibition on the north side of Danforth Avenue from Ellerbeck Street to a point 56.5 Metres west thereof.

Financial Impact

Type of Funding	Source of Funds	Amount
Available within current budget	Transportation Services Division 2008 Operating Budget.	\$600.00

Summary

Transportation Services is requesting approval from City Council to amend the existing parking prohibition on the north side of Danforth Avenue, just west of Ellerbeck Street. Danforth Avenue is a TTC Night Bus Route.

The proposed changes to the parking regulations contained in this report would provide an additional nine parking spaces.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15204.pdf>

Drawing

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15205.pdf>

TE18.97	Adopted			Ward: 27
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Public Art Plan - Burano - 832 Bay Street

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council approve the Burano Public Art Plan, 832 Bay Street, attached to the report (August 6, 2008) from the Director, Urban Design.

 (August 6, 2008) Report from Director, Urban Design

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council approve the Burano Public Art Plan, 832 Bay Street, attached to the report

(August 6, 2008) from the Director, Urban Design.

Summary

The purpose of this staff report is to seek City Council approval of the Burano Public Art Plan. The plan has been prepared by the Public Art Consultant and Owner in compliance with the development approval provisions. The plan, which is included as Attachment 1 of this report, outlines the method by which the Owner will commission public art in the privately owned, publicly accessible ground level area of the development.

The Burano Public Art Plan provides a framework for the direct commission of a fresco painting and associated elements by Italian artist Sandro Martini. The fresco will be installed on the ground level at the northern end of the development, and will be visually accessible at all hours of the day. The attached plan meets the objectives of the City Planning Percent for Public Art Program and is supported by the Toronto Public Art Commission.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15222.pdf>

TE18.98	Adopted			Ward: 27
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Public Art Plan - James Cooper Mansion - 582 Sherbourne Street

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council approve the James Cooper Mansion Public Art Plan, 582 Sherbourne Street, attached to the report (August 6, 2008) from the Director, Urban Design.

(August 6, 2008) Report from Director, Urban Design

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council approve the James Cooper Mansion Public Art Plan, 582 Sherbourne Street, attached to the report (August 6, 2008) from the Director, Urban Design.

Summary

The purpose of this staff report is to seek City Council approval of the James Cooper Mansion Public Art Plan. The plan has been prepared by the Public Art Consultant and Owner in compliance with the development approval provisions. The plan, which is included as Attachment 1 of this report, outlines the method by which the Owner will commission public

art in the privately owned, publicly accessible areas of the development.

The James Cooper Mansion Public Art Plan provides a framework for the commissioning of artworks on prominent public areas of the site. The attached plan meets the objectives of the City Planning Percent for Public Art Program and is supported by the Toronto Public Art Commission.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15227.pdf>

TE18.100	Adopted			Ward: 21
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Request to approve the removal of "pay n' display" parking meters on St. Clair West between Bathurst St and Raglan Ave

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council rescind the existing "Pay and Display" parking regulation, which operates from 9:00 a.m. to 4:00 p.m., and 6:00 p.m. to 9:00 p.m., Monday to Friday, 8:00 a.m. to 9:00 p.m. Saturday, and 1:00 p.m. to 9:00 p.m., Sunday, for a maximum period of three hours on the north side of St. Clair Avenue West, from a point 54 metres west of Bathurst Street to a point 9 metres east of Raglan Avenue; and
2. City Council prohibit parking at all times on the north side of St. Clair Avenue West, from a point 54 metres west of Bathurst Street to Raglan Avenue.

(July 22, 2008) Memo from Councillor Joe Mihevc

Committee Recommendations

The Toronto and East York Community Council recommends that City Council:

1. Rescind the existing "Pay and Display" parking regulation, which operates from 9:00 a.m. to 4:00 p.m., and 6:00 p.m. to 9:00 p.m., Monday to Friday, 8:00 a.m. to 9:00 p.m. Saturday, and 1:00 p.m. to 9:00 p.m., Sunday, for a maximum period of three hours on the north side of St. Clair Avenue West, from a point 54 metres west of Bathurst Street to a point 9 metres east of Raglan Avenue; and
2. Prohibit parking at all times on the north side of St. Clair Avenue West, from a point 54 metres west of Bathurst Street to Raglan Avenue.

Summary

With the construction of the dedicated streetcar lane on St. Clair Ave West, east of Vaughan Rd., the realignment of the road widths to preserve maximum sidewalk widths and the construction of a 22-storey condo tower at the north west corner of Bathurst and St. Clair, the parking meters on St. Clair Avenue West are causing an unnecessary impediment to vehicular traffic. Moreover, a Toronto Parking Authority lot exists on Bathurst St., just south of St. Clair Avenue West that can more than accommodate on-street parking demand.

Background Information (Committee)

Memo

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15269.pdf>

Communications (Committee)

(September 5, 2008) letter from Councillor Mihevc (TE.New.Re:TE18.100)

TE18.102	Amended			
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Endorsement of Events for Liquor Licensing Purposes

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council, for liquor licensing purposes advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests for:
 - a. liquor licence extensions of hours for the establishments listed in the letter (August 21, 2008) from Councillor Rae, to permit the sale and service of alcohol until 4:00 am, in conjunction Scotiabank Nuit Blanche event;
 - b. liquor licence extension of hours for the Rivoli, 332 Queen Street West, to permit the sale and service of alcohol until 4:00 am, in conjunction Scotiabank Nuit Blanche event;
 - c. liquor licence extensions of hours for the establishments listed in the letter (August 21, 2008) from Councillor Rae, to permit the sale and service of alcohol until 4:00 am, in conjunction Halloween on Church Street Event;
 - d. liquor licence extension for an outdoor beer garden in the Parkette at the north end of the Renaissance Toronto Hotel Downtown at 1 Blue Jays Way in the Rogers Centre for the NFL event taking place on Sunday, December 7, 2008 from 11:00 a.m. to 6:00 p.m.;
 - e. liquor licence extension for the Young Centre for the Performing Arts to encompass the performance spaces for the Canwest Cabaret Festival taking

Place from October 2, 2008 to October 5, 2008;

- f. liquor licence extension of hours for the Boiler House Restaurant, 55 Mill Street, Building 56, to permit the sale and service of alcohol until 7:00 am, in conjunction Scotiabank Nuit Blanche event; and
 - g. a special occasion permit for the Beaver Hall Gallery to permit the sale and service of alcohol until 1:00 a.m., in conjunction with the Scotiabank Nuit Blanche event.
2. City Council endorse the action of the Community Council in having advised the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests, as the events take place prior to Council's meeting:
- a. permission for the operation of three beer gardens at Roncesvalles Avenue and Pearson Avenue, Roncesvalles Avenue and Fern Avenue (in front of the Polish Credit Union) and Roncesvalles Avenue and Westminster Avenue, on September 13 and 14, 2008, in conjunction with the Roncesvalles Polish Festival;
 - b. permission for the operation of a beer garden on September 20, 2008 on Blue Jays Way, in conjunction with The Score Street Party event;
 - c. permission for the sale and service of alcohol on September 26, 2008 on Yonge-Dundas Square, in conjunction with the Rum and Rhythm Event; and
 - d. permission for the following establishments to extend their boulevard patios for the sale and service of alcohol on September 28, 2008, from 12 noon to 7:00 p.m., in conjunction with Pedestrian Sunday in Kensington Sunday:

Augusta House, 152A Augusta Avenue
 The Embassy, 223 Augusta Avenue
 Graffiti's Bar and Grill, 170 Baldwin Street
 Lola, 40 Kensington Avenue
 La Palette, 256 Augusta Avenue.

Committee Recommendations

The Toronto and East York Community Council recommends that City Council, for liquor licensing purposes:

- 1. advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests for:
 - a. liquor licence extensions of hours for the establishments listed in the letter (August 21, 2008) from Councillor Rae, to permit the sale and service of alcohol

until 4:00 am, in conjunction Scotiabank Nuit Blanche event;

- b. liquor licence extension of hours for the Rivoli, 332 Queen Street West, to permit the sale and service of alcohol until 4:00 am, in conjunction Scotiabank Nuit Blanche event;
 - c. liquor licence extensions of hours for the establishments listed in the letter (August 21, 2008) from Councillor Rae, to permit the sale and service of alcohol until 4:00 am, in conjunction Halloween on Church Street Event;
 - d. liquor licence extension for an outdoor beer garden in the Parkette at the north end of the Renaissance Toronto Hotel Downtown at 1 Blue Jays Way in the Rogers Centre for the NFL event taking place on Sunday, December 7, 2008 from 11:00 a.m. to 6:00 p.m.;
 - e. liquor licence extension for the Young Centre for the Performing Arts to encompass the performance spaces for the Canwest Cabaret Festival taking Place from October 2, 2008 to October 5, 2008;
 - f. liquor licence extension of hours for the Boiler House Restaurant, 55 Mill Street, Building 56, to permit the sale and service of alcohol until 7:00 am, in conjunction Scotiabank Nuit Blanche event;
2. endorse the action of the Community Council in having advised the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests, as the events take place prior to Council's meeting:
- a. permission for the operation of three beer gardens at Roncesvalles Avenue and Pearson Avenue, Roncesvalles Avenue and Fern Avenue (in front of the Polish Credit Union) and Roncesvalles Avenue and Westminster Avenue, on September 13 and 14, 2008, in conjunction with the Roncesvalles Polish Festival;
 - b. permission for the operation of a beer garden on September 20, 2008 on Blue Jays Way, in conjunction with The Score Street Party event;
 - c. permission for the sale and service of alcohol on September 26, 2008 on Yonge-Dundas Square, in conjunction with the Rum and Rhythm Event;
 - d. permission for the following establishments to extend their boulevard patios for the sale and service of alcohol on September 28, 2008, from 12 noon to 7:00 p.m., in conjunction with Pedestrian Sunday in Kensington Sunday:

Augusta House, 152A Augusta Avenue
 The Embassy, 223 Augusta Avenue
 Graffiti's Bar and Grill, 170 Baldwin Street
 Lola, 40 Kensington Avenue
 La Palette, 256 Augusta Avenue

Committee Decision Advice and Other Information

The Toronto and East York Community Council, for liquor licensing purposes:

1. declared the following to be events of Municipal Significance:
 - a. Caribbean Week Toronto 2008 taking place from September 23, 2008 to September 26, 2008 at various locations, including the Rum and Rhythm Event taking place on September 26, 2008 on Yonge-Dundas Square;
 - b. Annual Korean Thanksgiving, taking place on Saturday, September 27, 2008, at Christie Pits;
 - c. The Toronto Book Awards Gala, taking place at the Toronto Public Library, 789 Yonge Street on Friday October 17, 2008, from 5:30 p.m. to 8:00 p.m.
 - d. Halloween on Church Street Event taking place on October 31, 2008;
 - e. The Score Street Party taking place on September 20, 2008;
 - f. Pedestrian Sundays in Kensington Market, taking place on September 28, 2008;
 - g. Word on the Street Book and Magazine Festival, taking place on September 28, 2008 in Queen's Park;
 - h. Ethiopian "End of the Millenium New Years Eve Celebration", taking place December 31, 2008 from 8:00 p.m. to 3:00 a.m. in the Lithuanian Hall, 1573 Bloor Street West;
2. endorsed the action of its Chair in declaring the Canadian National Exhibition and Horse Show an event of municipal significance, as the event took place prior to the Community Council's meeting.

Summary

Seeking endorsement of events of Municipal Significance for liquor licensing purposes.

Background Information (Committee)

Letter and attachment from Councillor Vaughan respecting The Score television "ParticipACTION" Event

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15289.pdf>

Letter from David Wootton, Church Wellesley Village BIA, respecting the Nuit Blanche Event

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15290.pdf>

Notice of Street Closure respecting Nuit Blanche

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15291.pdf>

Letter from David Wootton, Church Wellesley Village BIA, respecting the Halloween on Church Street Event

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15292.pdf>

Notice of Street Closure respecting Halloween on Church

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15293.pdf>

Communications (Committee)

- (August 13, 2008) letter from Keith Denning, Roncesvalles Village BIA, respecting the Roncesvalles Polish Festival to be held on September 13 and 14, 2008, on Roncesvalles Avenue at Pearson, Fern and Westminster Avenues (TE.Main.TE18.102.1)
- (July 23, 2008) e-mail from Councillor Vaughan respecting The Score television "ParticipACTION" event to be held on September 19-20, 2008 at various times and locations in the King Street West and Peter Street area (TE.Main.TE18.102.2)
- (August 11, 2008) fax from Lisa Ulrich, Caribbean Tourism Organization, respecting a food and rum tasting event to be held September 26, 2008 from 10:00 a.m. - 4:00 p.m. at Yonge and Dundas Square as part of Caribbean Week Toronto 2008 (TE.Main.TE18.102.3)
- (July 24, 2008) letter from Councillor Davis respecting the CNE and Horse Show taking place from July 22, 2008 to September 1, 2008 at Exhibition Place (TE.Main.TE18.102.4)
- (August 18, 2008) letter from Hak Hwan Koh, Korean Senior Citizens Society of Toronto, respecting the Annual Korean Thanksgiving event to be held at 11:00 a.m. on September 27, 2008 at Christie Pitts Park (TE.Main.TE18.102.5)
- (August 21, 2008) letter from Councillor Rae respecting the Nuit Blanche event to be held on October 4, 2008 between 7:00 p.m. to 7:00 a.m. on October 5, 2008 and for licensed establishments to extend their serving hours from 2:00 a.m. until 4:00 a.m. (TE.Main.TE18.102.6)
- (August 21, 2008) letter from Andre Rosenbaum, Rivoli Restaurant, respecting a temporary liquor license extension on October 4, 2008 to 4:00 a.m. on October 5, 2008 during the Nuit Blanche Event (TE.Main.TE18.102.7)
- (August 22, 2008) e-mail from Barbara Sullivan, Chief of Protocol, City Clerk's Office, respecting the Toronto Book Awards Gala to be held on October 17, 2008 from 5:30 to 8:00 p.m. at the Toronto Public Library, 789 Yonge Street (TE.Main.TE18.102.8)
- (August 21, 2008) letter from Councillor Rae respecting the Halloween on Church Street event to be held on October 31, 2008 and for licensed establishments to extend their serving hours from 2:00 a.m. until 4:00 a.m. (TE.Main.TE18.102.9)
- (September 2, 2008) e-mail from Stephen Froemmel, Renaissance Toronto Hotel Downtown, respecting a food showcase to be held at 1 Blue Jays Way on December 7, 2008 from 11:00 a.m. to 6:00 p.m. (TE.Main.TE18.102.10)
- (August 21, 2008) e-mail from Sara Meurling, Young Centre for the Performing Arts, respecting the Canwest Cabaret Festival to be held on October 2 to 5, 2008 at 55 Mill Street. (TE.Main.TE18.102.11)
- (September 5, 2008) letter from Kifle Lissanu, Four Seasons Hotel Toronto, respecting End of the Millennium New Year's Eve Celebration to be held on Wednesday, December 31, 2008 from 8:00 p.m. to 3:00 a.m. at The Lithuanian Hall, 1573 Bloor Street West (TE.New.TE18.102.12)
- (September 9, 2008) Member Motion from Councillor Rae respecting Pedestrian Sundays in Kensington Market to be held on September 28, 2008 and for participating establishments to extend their boulevard patios (TE.New.TE18.102.13)
- (August 27, 2008) letter from Alexandra Moorshead, respecting Word on the Street to be held on September 28, 2008 in Queen's Park from 11:00 a.m. to 7:00 p.m. (TE.New.TE18.102.14)
- (September 8, 2008) e-mail from Kim Miyama, The Distillery Restaurants Corp. respecting a liquor licence extension at the Boiler House Restaurant for the Nuit Blanche Festival taking place on October 4, 2008 from 9:00 p.m. - 7:00 a.m. (TE.New.TE18.102.15)

Communications (City Council)

(September 15, 2008) e-mail from Gallery Committee, Beaver Hall
Gallery (CC.Main.TE18.102.16)

Submitted Tuesday, September 9, 2008

Councillor Janet Davis, Chair, Toronto and East York Community Council