

## TORONTO CITY COUNCIL DECISION DOCUMENT MEETING ON JULY 19, 20, 21 AND 26, 2005

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

*[Please note that the Council action on Motion J(17) has been corrected and an [Addendum](#) to this Decision Document was issued on August 4, 2005. For ease of reference, the corrections have been incorporated into this document.]*

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**Deferred Clauses:****Administration Committee Report 5****18a Other Items Considered by the Committee**

City Council on July 19, 20, 21 and 26, 2005, waived the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to consider Item (h), entitled “Recorded Vote Participation”, and adopted the following:

“That Item (h), entitled ‘Recorded Vote Participation’, contained in this Clause, be received and that no action be taken with respect to this Item.”

[Note: The balance of this Clause was received, for information, at the City Council meeting on June 14, 15 and 16, 2005.]

**Etobicoke York Community Council Report 5****7a Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences - 68 Rathburn Road (Ward 4 - Etobicoke Centre)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communication:

- (June 29, 2005) from Axel Kuhn, President, Thorncrest Homes Association Incorporated, submitted by Councillor Gloria Lindsay Luby, Ward 4, Etobicoke Centre [Communication 2(a)].

**15a Proposed “No Parking Anytime” Prohibition on Meteor Drive (Ward 2 - Etobicoke North)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**16a Proposed “No Parking Anytime” Prohibition on Greensboro Drive (Ward 2 – Etobicoke North)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

Councillor Ford declared an interest in this Clause, in that his family owns property on Greensboro Drive.

**Toronto and East York Community Council Report 5**

**18a Request for Amendment to Conditions for a Sign – 280 Spadina Avenue - Southwest Corner of Dundas Street and Spadina Avenue (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted the following:

“That:

- (1) the sign application for 280 Spadina Avenue be approved, subject to the existing digital board, located on top of the fascia sign, being made available to non-profit organizations for public announcements free of charge; the airtime to serve public announcements shall be not less than 12.5 percent of the available air time (720 x 15 seconds spots daily);
- (2) the Planning and Transportation Committee be requested to:
  - (a) give consideration to amending the Official Plan to designate Special Signage Areas;
  - (b) consider designating Chinatown and Dundas Square as Special Signage Areas, and request the Chief Planner and Executive Director, City Planning to report to the Planning and Transportation Committee on the following matters:
    - (i) a definition of Chinatown and Dundas Square;
    - (ii) recommended boundaries of Special Signage Areas encompassing these areas; and
    - (iii) appropriate rules governing a Special Signage Area; and
  - (c) conduct any statutory public hearings under the *Planning Act* that may be necessary; and

- (3) the Chief Planner and Executive Director, City Planning, in consultation with appropriate staff, report to the Planning and Transportation Committee on a policy for providing funding for public art projects from fees collected from approval of signs.”

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

Council also considered the following:

Communications:

- (May 20, 2005) from Peter Chen, President, Ontario Chinese Restaurant and Food Services Association [Communication 1(a)(1)];
- (May 20, 2005) from the Chief Chinese Freemasons of Canada [Communication 1(a)(2)];
- (May 20, 2005) from the Mon Sheong Foundation [Communication 1(a)(3)];
- (May 20, 2005) from Winnie W. Wong, Chair, Chinatown Community Police Liaison Committee [Communication 1(a)(4)];
- (May 20, 2005) from the Toronto Flying Tigers Sport Association [Communication 1(a)(5)];
- (May 20, 2005) from Hughe Eng, Chairman, Confederation of Metro Toronto Chinese Canadian Organizations [Communication 1(a)(6)];
- (May 26, 2005) from Pho Vi Yung, Vice President, Vietnamese, Cambodian, Laotian Community Service Association [Communication 1(a)(7)];
- (May 26, 2005) from John Leung, President, Toronto Chinese Business Association [Communication 1(a)(8)];
- (May 26, 2005) from Kevin Lee, Executive Director, Scadding Court Community Centre [Communication 1(a)(9)];
- (May 26, 2005) from Lee Kee Yang, President, Toronto Chinatown Community Development Association [Communication 1(a)(10)];
- (May 26, 2005) from Herbert Chang, Director, The Mandarin Club of Toronto [Communication 1(a)(11)];
- (May 27, 2005) from Van Minh Banh, Director and Secretary, Chao Chow Association of Ontario [Communication 1(a)(12)]; and
- (June 13, 2005) from Barbara Kwan, General Manager, Dragon City Developments Inc. [Communication 1(a)(13)]

### **New Reports:**

#### **Policy and Finance Committee Report 7**

##### **1 Organizational Framework for Affordable Housing Programs**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by:

- (1) adding to staff Recommendation (2) contained in the report (June 23, 2005) from the City Manager, the words “the Chief Planner and Executive Director, City Planning” after the words “General Managers”, so that Recommendation (2) now reads as follows:

“(2) the Affordable Housing Office undertake, in consultation with appropriate General Managers, the Chief Planner and Executive Director, City Planning, and staff across the civic administration, the following activities on a priority basis:”;

- (2) adding the following:

“That:

- (a) in the context of the *City of Toronto Act* discussions, the Mayor be requested to ask the Province to enable the City to determine how best to allocate affordable housing funding from the Province;
- (b) the Deputy City Manager be requested to include in the requested report on the implementation of the plan, the feasibility of the following recommendation:

‘That the landlords applying for rent supplement units in their buildings be required to:

- (i) make substantial rent reductions before the City gives consideration to accepting their units;
- (ii) commit to providing units for a minimum period of time; and
- (iii) ensure that the units are in a state of good of repair.’;
- (c) the following motions be referred to the City Manager for a report to the Policy and Finance Committee, such report to be included in the Work Program and Action Plan:

- (i) Moved by Councillor Moscoe:

‘That City Council, in its negotiations with the federal and provincial governments, request Minister Gerretson to increase allocated funds for the creation of affordable housing.’; and

(ii) Moved by Councillor Pitfield:

‘That City Council, in its negotiations with the federal and provincial governments, request Minister Gerretson to increase allocated funds for rent geared-to-income (RGI) rent supplements (for 15 years) to allow funding on an urgent basis, based on growing vacancy rates.’ ”

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

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Council also considered the following:

Communication:

- (July 15, 2005) from Liz Rykert, Treasurer, Homefree, Board of Directors [Communication 18(a)].

## **2 Implementation of an Affordable Housing Committee of Council**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by further amending Appendix A, entitled “Terms of Reference for the Special Affordable Housing Committee”:

- (1) by adding to Part (ii) contained in Section (1), entitled “Mandate”, the words “applications that will receive funding or surplus land from either the provincial, federal or municipal levels of government”, so that Part (ii) now reads as follows:
  - “(ii) Managing direct funding support for affordable housing applications that will receive funding or surplus land from either the provincial, federal or municipal levels of government.”; and
- (2) to provide that the Committee Chair is to serve an 18-month term, and that a Chair is prohibited from serving two consecutive terms.

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

## **3 Regent Park Revitalization - Financial Strategy (Ward 28)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**4 Change to Committee Reporting Relationship for City-Wide Heritage Preservation Matters**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**5 Results of the Strong Toronto, Strong Ontario Consultation**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 Bill 206 “An Act to Revise the Ontario Municipal Employees Retirement System Act”**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That:

- (1) the City participate in the informal Police/Fire supplemental plan discussions hosted by the Ministry of Municipal Affairs and Housing; and
- (2) the City Manager be requested to report to the Policy and Finance Committee for its meeting of September 20, 2005, on the issues raised at City Council, such report to include information from the Association of Municipalities of Ontario (AMO) on its strategies in this regard.”

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

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Council also considered the following:

Communication:

- (July 18, 2005) from Ed Kennedy, Vice-President, Toronto Professional Fire Fighters’ Association [Communication 32(a)].

**7 Enwave Restructuring Proposal**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (July 6, 2005) from the City Manager [Confidential Communication C.1(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the security of the property of the municipality.

## **8 Corporate and Commercial Board Remuneration**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by deleting Recommendation (3) contained in the report (June 27, 2005) from the City Manager, and inserting instead the following:

- “(3) remuneration for the citizen Chair of the Toronto Hydro Corporation and all other citizen Members remain at the current rate;”.

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

## **9 Citizen Nominations to the Board of Directors of Toronto Hydro Corporation**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (July 6, 2005) from the Chair, Corporations Nominating Panel [Confidential Communication C.2(a)]. This report is now public in its entirety and contains the following staff recommendations:

“It is recommended that:

- (1) the eight persons, including the recommended Chair listed in Attachment 1 to this report, be appointed at the pleasure of Council to the Board of Directors of Toronto Hydro Corporation for a term of office commencing August 1, 2005, and expiring on July 31, 2008, and until their successors are appointed;
- (2) this report be made public following City Council’s adoption of this report;



- (3) Council waive those portions of the Citizen Nominations Policy and the Shareholder Direction to Toronto Hydro limiting the term of appointment to a maximum of six consecutive years, in order to re-appoint four of the current directors to another term to provide continuity;
- (4) the Nominations Policy adopted by City Council at its meeting held on April 15 and 16, 2004, as Clause 22a, Report No. 2 of the Policy and Finance Committee, be amended to require that incumbent members of corporate boards undergo the same interview and evaluation process as incoming members of those boards, eliminating the need for a 360° evaluation previously required;
- (5) the Mayor, on behalf of City Council, express the City's appreciation and thanks to Toronto Hydro Board Members for their service over the last 6 years; and
- (6) the appropriate City and Toronto Hydro officials be authorized and directed to take the necessary action to give effect thereto."

- Attachment 1 to the confidential report (July 6, 2005) from the Chair, Corporations Nominating Panel. This Attachment is now public in its entirety:

Board of Directors of Toronto Hydro Corporation – Recommended Citizen Appointments

Mr. Clare Copeland, Incumbent Chair (Recommended Chair)  
Chief Executive Officer, Falls Management Company  
Former Chair and CEO, OSF Inc.  
Former President and CEO, Peoples Jewellers Corporation  
Former Chair, Sun Media Corporation  
Former Chair, Ontario Place

Ms. Janet Beed

Vice-President and Chief Operating Officer, University Health Network: Toronto General Hospital  
Former Partner, Deloitte Consulting  
Former Vice-President, Ontario Cancer Institute/Princess Margaret Hospital  
Former Vice-President, Hospital for Sick Children

Mr. David L. Bumstead, Incumbent

Former Executive Vice-President, Corporate Development,  
Noranda Inc.

Former Chair, Rudolph Wolff & Co.

Former Chair, Kerr Addison Mines

Ms. Trish Callon

Former Vice-President and Associate General Counsel, Canadian  
Imperial Bank of Commerce

Senior Counsel, Seaboard Life Insurance Company

Counsel, Sun Life Assurance Company of Canada

Mr. Brian Chu

Partner, Bogart, Robertson and Chu

Director, Laidlaw Foundation

Director, Apparel Industry Development Council

Former Chair, Ontario College of Art and Design

Former Vice-Chair, Centennial College of Applied Arts and  
Technology

Former Vice-Chair, Chinese Cultural Centre of Greater Toronto

Mr. L. Ross Cullingworth, Incumbent

Consultant and Corporate Director

Former Chair, CEO of Brookfield Homes Ltd.

Dr. Frank Frantisak, Incumbent

Partner, Frank Frantisak & Associates

Former Senior Vice-President, Environmental Services, Noranda  
Inc.

Order of Canada Recipient, 2002

Mr. Jeffrey G. Marshall

Chairman, Smith Marshall, a subsidiary of The NextMedia  
Company Limited

Former President and Chief Executive Officer, Aluma Enterprises  
Inc.

Founding Chair, President and Chief Executive Officer, Ontario  
Clear Water Agency

Former President and Chief Executive Officer, Marshall  
Drummond McCall Inc.

Former President and Chief Executive Officer, Marshall Steel  
Limited

**10 2004 Annual General Meeting Toronto Hydro Corporation; and Annual Audited Financial Statements of Toronto Hydro**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**11 Status Report on Tsunami Relief Activities**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the City Manager be authorized to participate in a ‘technical exchange partnership’ with the City that is determined to be the most affected by the tsunami, such as the Urban Centre of Banda Aceh, under the auspices of the Federation of Canadian Municipalities’ Technical Exchange Program and CIDA.”

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

**12 City of Toronto Membership in L’Association française des municipalités de l’Ontario/Association of Francophone Municipalities of Ontario (AFMO)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**13 Agreement for the Transfer of Federal Gas Tax Revenues and Agreement in Principle for the Transfer of Funds for Public Transit under the New Deal for Cities and Communities**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the City Manager be requested to report to the Policy and Finance Committee meeting of September 20, 2005, on the timelines for the flow of the Gas Tax funding.”

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

**14 City of Toronto 2004 Investment Report**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**15 Agreement with the University of Toronto for Voluntary Payments Relating to its Revenue-Producing Properties**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (June 29, 2005) from the Deputy City Manager and Chief Financial Officer and the City Solicitor [Confidential Communication C.3(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the security of the property of the municipality.

**16 Feasibility of Designating Soccer Field and Field House at Keele Reservoir as a Municipal Capital Facility (Ward 8 - York West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**17 Development Charges By-law - Revenue Estimates**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**18 Payments in Lieu of Taxes**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**19 2005 Heads and Beds Levy on Institutions under Section 323 of the *Municipal Act, 2001***

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by:

- (1) adding to Recommendation (1)(i) of the Policy and Finance Committee, the words “and further that the Treasurer be requested to advise City Council only in the event that the *City of Toronto Act* permits Council to further increase this levy”, so that Recommendation (1)(i) now reads as follows:

“(i) effective January 2006, the levy amount be \$85.00 for each full time student, provincially-rated bed or resident place respectively as determined by the owner Ministry of each facility, and further, that the Treasurer be requested to advise City Council only in the event that the *City of Toronto Act* permits Council to further increase this levy; and”;

(2) adding the following:

“That City Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (July 15, 2005) from the Treasurer:

‘It is recommended that:

- (1) Council authorize the levy and collection of taxes for the 2005 taxation year on hospitals, colleges and universities and correctional facilities as authorized by Section 323 of the *Municipal Act, 2001*;
- (2) the maximum prescribed amount of \$75.00 be applied per provincially rated hospital bed, full time student, or resident place;
- (3) By-law 594-1999 be amended to make the following changes to the capacity figures and resulting levy for 1999:

Institution	Capacity Figure Originally Provided	Revised Capacity Figure	Resulting Levy for 1999
Humber River Regional Hospital	1,384	927	\$69,525
Rouge Valley Health Centre	792	645	\$48,375
Wellesley Central Hospital	770	594	\$44,550
William Osler Health Centre	nil	508	\$38,100

- (4) By-law 504-2000 be amended to make the following change to the capacity figures and resulting levy for 2000:

Institution	Capacity Figure Originally Provided	Revised Capacity Figure	Resulting Levy for 2000
Wellesley Central Hospital	770	594	\$44,550

- (5) By-law 656-2001 be amended to make the following changes to the capacity figures and resulting levy for 2001:

Institution	Capacity Figure Originally Provided	Revised Capacity Figure	Resulting Levy for 2001
Rouge Valley Health Centre	792	645	\$48,375
St. Michael's Hospital	1,295	701	\$52,575
William Osler Health Centre	nil	508	\$38,100

- (6) the Treasurer be authorized to report back in late 2005 or early 2006 with respect to the legislative authority to levy the 2006 taxes on Institutions at the rate of \$85.00 per provincially rated hospital bed, full-time student, or resident place; and
- (7) authority be granted for the introduction of the necessary Bills in Council to give effect thereto and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' ”

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

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Council also considered the following:

- Report (July 15, 2005) from the Treasurer [Communication 16(a)].

**20 2005 Levy on Railway Roadways and Rights of Way and on Power Utility Transmission and Distribution Corridors**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the supplementary report (July 15, 2005) from the Treasurer, subject to deleting Recommendation (2) and inserting instead the following:

- ‘(2) Council direct the Treasurer to implement the 2006 levy as recommended by the Policy and Finance Committee and only report back to the Policy and Finance Committee in 2006 if Council has the legislative authority to further increase this amount;’,

so that the Recommendations, as amended, now read as follows:

‘It is recommended that:

- (1) Council authorize the levy and collection of taxes for the 2005 taxation year on roadways and rights of way of railways and on transmission and distribution corridors owned by power utilities, in accordance with subsection 315 (1) of the *Municipal Act, 2001* and subsection 257.7(1) of the *Education Act*;
- (2) Council direct the Treasurer to implement the 2006 levy as recommended by the Policy and Finance Committee and only report back to the Policy and Finance Committee in 2006 if Council has the legislative authority to further increase this amount; and
- (3) authority be granted for the introduction of the necessary bill in Council to give effect thereto and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

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

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Council also considered the following:

- Report (July 15, 2005) from the Treasurer [Communication 17(a)].

**21 19 Lambton Avenue, Property Tax Sale Extension Agreement (Ward 11 - York South Weston)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (June 20, 2005) from the Treasurer [Confidential Communication C.4(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the security of the property of the municipality:

“It is recommended that:

- (1) authority be granted to enter into an extension agreement with Ante Grgas, the owner of the land municipally described as 19 Lambton Avenue and legally described by PIN 10513-0226(LT) being Lot 13, Plan 1533 in the Land Titles Division of the Toronto Registry Office (No. 66) (the ‘Property’), to extend the redemption date for payment of tax arrears owing on the Property from August 5, 2005, to February 1, 2006;
- (2) authority be granted for the introduction of the necessary Bill to authorize the execution of the extension agreement; and
- (3) the appropriate City officials be authorized and directed to take the necessary steps to give effect to the foregoing.”

## **22 Risk Assessment and Management Plan for West Don Lands**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

## **23 Employee Indemnification Policy for Management and Excluded Staff**

City Council on July 19, 20, 21 and 26, 2005, referred this Clause to the Executive Director of Human Resources.

In addition, Council:

- (1) adopted the following staff recommendation contained in the Recommendation Section of the supplementary report (July 15, 2005) from the Executive Director of Human Resources:

“It is recommended that the Executive Director of Human Resources and the City Solicitor report back to the Employee and Labour Relations Committee with a proposed indemnification policy for elected officials.”; and



- (2) directed that the Employee Indemnification Policy for Management and Excluded Staff be submitted to City Council at the same time as the Indemnification Policy for Members of Council.

Council also considered the following:

- Report (July 15, 2005) from the Executive Director, Human Resources [Communication 21(a)].

#### **24 Workforce Reduction Costs 2005**

City Council on July 19, 20, 21 and 26, 2005, referred this Clause to the Deputy City Manager and Chief Financial Officer, with a request that he report to the November 22, 2005 meeting of the Policy and Finance Committee on the following:

- (1) City Divisions be requested to fund their 2005 work force reductions through under-expenditures, and the Deputy City Manager and Chief Financial Officer submit a report to the Policy and Finance Committee on any funding required;
- (2) for 2006, budget estimate costs for work force reductions and funding for the work force reserve fund, be included in the budget for the Division which requires the funding;
- (3) reporting to the Employee and Labour Relations Committee and City Council on the current number of full-time, part-time and seasonal employees employed by the City of Toronto and its Agencies, Boards and Commissions, and include in that report the number of vacant positions; and
- (4) including as part of the quarterly variance report (Operating Budget) the number of full-time, part-time and seasonal employees employed by the City of Toronto and its Agencies, Boards and Commissions, by division.

#### **25 2005 Smoke-Free Ontario Initiative of the Ontario Tobacco Strategy: Provincial Funding for Tobacco Control Programming**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

## **26 Domestic Development Working Group Recommendations on Support for the Film Industry**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the Prime Minister of Canada and the Premier of Ontario be requested to immediately extend the Federal and Provincial Tax Credits offered outside of Toronto for film and television productions, to all parts of the television and film industry that work in Toronto.”

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

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Council also considered the following:

Communications:

- (July 20, 2005) from Ken Ferguson, President, Toronto Film Studios Inc., submitted by Councillor Paula Fletcher, Ward 30, Toronto Danforth [Communication 37(a)];
- (July 19, 2005) from Linda Lynch [Communication 37(b)] enclosing a binder of materials; and
- (undated) cover letter forwarding the following [Communication 37(c)]:
  - (July 20, 2005) from D. Jim Mirkopoulos, Vice President, Cinespace Film Studios;
  - (July 5, 2005) from Steve Mirkopoulos, President, Cinespace Film Studios, Peter Lukas, President, Showline Studios, and Lillyann Goldstein, President Wallace Studios, on behalf of the Ontario Film and Television Studio Owners Association;
  - (July 6, 2005) from Don Carmody, Producer;
  - (July 6, 2005) from John Eckert;
  - (July 5, 2005) from Christopher J. Danton;
  - (July 4, 2005) from Marty Dejezak, Location Manager, Dejezak Productions Inc.;
  - (July 5, 2005) from John Karmouche;
  - (July 5, 2005) Tyler J. Curtis;
  - (April 17, 2005) from the Ontario Film and Television Studio Owners Association; and
  - (July 18, 2005) Playback Trade Publication Article, entitled “Evictions for T.O. Service Companies”.

## **27 Appointment of Chair of Toronto Licensing Tribunal**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause to provide that, in order to have the greatest selection of candidates, the vacancy on the Toronto Licensing Tribunal be filled by both the advertising process and the invitation process.

City Council, at the in-camera portion of its meeting, also issued confidential instructions to staff, which are to remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain personal information about identifiable individuals.

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

Council also considered the following:

- Confidential communication (June 27, 2005) from the Planning and Transportation Committee [Confidential Communication C.5(a)]. The following recommendations of the Planning and Transportation Committee, as amended, are now public and the balance of the communication remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals:

“The Planning and Transportation Committee recommends to the Policy and Finance Committee and City Council that:

- (I) City Council adopt Recommendations (1), (2) and (4) contained in the confidential report (May 30, 2005) from the City Manager and the City Solicitor, subject to amending Recommendation (2) by adding the words “and that the Acting Chair continue in the interim”, and renumbering the recommendations accordingly so that they now read as follows:

- “(1) the Citizen Nominations Policy be amended to reflect clearly Council’s previous decision that the Chair of the Toronto Licensing Tribunal be appointed by Council and to reflect the Municipal Code changes contained in the report entitled Governance of the Toronto Licensing Tribunal;

- (2) Council advise the Tribunal that it intends to select the Chair for the balance of this term and that the Acting Chair continue in the interim; and

- 
- (3) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto;”;
- (II) the Sub-Committee of the Planning and Transportation Committee respecting the Toronto Licensing Tribunal, composed of Councillors Jenkins, Milczyn and Stintz, be requested to:
- (i) use both the invitation process and the advertising process to fill the vacancy on the Toronto Licensing Tribunal; and
- (ii) recommend to the Planning and Transportation Committee who the Chair should be; and
- (III) that discussions pertaining to the foregoing be considered in-camera as the subject relates to identifiable individuals.”
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- Confidential communication (June 1, 2005) from the Policy and Finance Committee addressed to the Planning and Transportation Committee. This communication is now public, in its entirety, and contains the following action of the Policy and Finance Committee:
- “The Policy and Finance Committee on June 1, 2005, amongst other things, referred the confidential report (May 30, 2005) from the City Manager and the City Solicitor, entitled ‘Appointment of Chair of Toronto Licensing Tribunal’, to the Planning and Transportation Committee for consideration and report thereon to the Policy and Finance Committee for its meeting scheduled to be held on July 7, 2005.”
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- Confidential report (May 30, 2005) from the City Manager and the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report, as amended, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals:

“It is recommended that:

- (1) the Citizen Nominations Policy be amended to reflect clearly Council's previous decision that the Chair of the Toronto Licensing Tribunal be appointed by Council and to reflect the Municipal Code changes contained in the report entitled Governance of the Toronto Licensing Tribunal;
- (2) Council advise the Tribunal that it intends to select the Chair for the balance of this term, and that the Acting Chair continue in the interim; and
- (3) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto."

## **28 Acquisition of 105 Lorraine Drive (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (June 8, 2005) from the Chief Corporate Officer [Confidential Communication C.6(a)]. This report is now public, in its entirety, and contains the following recommendations:

"It is recommended that:

- (1) a new Capital Budget account CPR115-35-03 be established for the acquisition of 105 Lorraine Drive for the Edithvale Park Project with the funding source being XR2041 (North York Local Land Acquisition Reserve ) in the amount of \$425,000.00;
- (2) the 2005 Capital Budget of Parks, Forestry and Recreation be increased by \$425,000.00 gross and zero net for the proposed land acquisition;
- (3) the Offer to Sell from Margaret Olive Damp to the City, of the property municipally known as 105 Lorraine Drive, in the amount of \$410,000.00 plus legal, relocation expenses, land transfer tax and moving costs, in the total amount of approximately \$15,000.00, be accepted on the terms outlined in the body of this report;

- (4) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable;
- (5) the report be referred to Policy and Finance Committee for consideration and approval; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**29 Acquisition of Land at Kennedy Road and McNicoll Avenue - Proposed TTC Bus Garage Site (Ward 39 - Scarborough-Agincourt)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (June 9, 2005) from the Chief Corporate Officer. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the acquisition of land for municipal purposes:

“It is recommended that:

- (1) the Toronto Transit Commission (TTC) 2005 Approved Capital Budget be increased by \$1.8 million gross expenditures and \$1.8 million revenues from the Land Acquisition Reserve Fund for a net zero impact, for the acquisition of lands located at Kennedy Road and McNicoll Avenue, for the purpose of constructing a proposed TTC bus garage;
- (2) the TTC report back, in conjunction with the 2005 2nd Quarter Variance Report, on the status of the sale of the Tapscott Property and additional funding to be reallocated within the existing 2005 Approved Capital Budget for this project;

- (3) the TTC report back, in conjunction with the 2005 2nd Quarter Variance Report, on the status of the sale of the surplus TTC property, with any/all proceeds from this sale to be committed towards the Land Acquisition Reserve Fund, to be directed towards mitigating the acquisition cost of lands located at Kennedy Road and McNicoll Avenue, for the purpose of constructing a proposed TTC bus garage;
- (4) authority be granted to approve the acquisition of the 19.06-acre property on the east side of Kennedy Road and on the north side McNicoll Road;
- (5) the Offer to Sell from the registered land owner, R.G. Dibble Company Limited, in the amount of \$7,600,000.00 subject to the usual adjustments, be accepted on the terms and conditions set out in the body of this report;
- (6) the Director of Real Estate be authorized and directed, on behalf of the City, to execute and accept the Offer to Sell set out herein;
- (7) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any attendant expenses, and to amend the closing date if necessary and reasonable; and
- (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**30 Alternative Heating Options for the St. Lawrence Centre for the Performing Arts**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**31 Waste Collection at Existing Residential Developments (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Transportation Committee on applications that were in the system prior to the moratorium on waste collection on private roads within new residential developments. “

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

**32 Humber Treatment Plant - Centrifuge Pre-Selection for the Waste Activated Sludge (WAS) Thickening Facility, Request for Quotation (RFQ) 6709-05-3079 (Ward 5 - Etobicoke Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted the staff recommendations contained in the Recommendations Section of the report (July 4, 2005) from the Executive Director, Technical Services and Treasurer [as contained in the Clause].

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

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Council also considered the following:

- Report (July 18, 2005) from the Executive Director, Technical Services, and the Treasurer [Communication 27(a)].

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- Confidential Appendices to the report (July 18, 2005) from the Executive Director, Technical Services and the Treasurer [Confidential Communication C.21(a)]. These Appendices remain confidential, in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information pertaining to the security of the property of the municipality.

**33 Humber Treatment Plant - Return Activated Sludge Motor Replacement and Variable Frequency Drive Engineering Services, RFP 9117-05-7031 (Ward 5 - Etobicoke Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**34 Extension of Contract 47006704 - Expressway Lighting Maintenance (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.



**35 Red Light Camera Contract Extension and Request for Proposals Update (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**36 Enforcement of Mandatory Waste Diversion By-laws for Single Family Residences**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**37 Defining the Land Acquisition for Source Water Protection Reserve in Accordance with Chapter 227 of the City of Toronto Municipal Code (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**38 Reduction of Solid Waste Bag Limit from Six to Four Items in Single-Family Homes**

City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Clause to its next regular meeting on September 28, 2005.

**39 Implementation of Multi-Unit Waste Reduction Levy**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by inserting in Recommendation (C) of the Works Committee, contained in the communication (June 29, 2005) from the Committee, the words “and co-op housing units”, so that Recommendation (C) now reads as follows:

“(C) the staff from Solid Waste Management Services be allocated to meet with and work with condominium associations and co-op housing units to assist in the development of practices to meet the City’s waste diversion targets.”

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

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Council also considered the following:

- (July 18, 2005) Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer [Communication 33(a)].

**40 Deteriorated Retaining Wall - Turner Road Flank of 29 Hillcrest Drive (Ward 21 - St. Paul's)**

City Council on July 19, 20, 21 and 26, 2005, adopted the following staff recommendations contained in the Recommendations Section of the supplementary report (July 18, 2005) from the Acting General Manager, Transportation Services:

“It is recommended that:

- (1) the City proceed with the slope stabilization and the construction of a retaining wall (back of sidewalk) on the Turner Road flank of 29 Hillcrest Drive at an estimated cost of \$120,000.00; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

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

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Council also considered the following:

- Report (July 18, 2005) from the Acting General Manager, Transportation Services [Communication 30(a)].

**41 Public Access Defibrillation (PAD), Municipal Program Expansion**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Report (July 12, 2005) from the Chief and General Manager, Toronto Emergency Medical Services [Communication 8(a)].

**42 The Children's Report Card**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**43 Building Condition Assessment and Analysis of Capital Reserve Funds in the Downloaded Non-Profit and Co-operative Social Housing Portfolio, not including Toronto Community Housing Corporation (TCHC)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**44 Municipal, Provincial and Federal Funding for Six Affordable Rental Housing Projects under the Affordable Housing Program - Community Rental Housing Funding Pilot Project Component (Wards 7, 27, 28, 31 and 32)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following Part (f) to Recommendation (4) contained in the report (June 21, 2005) from the General Manager, Shelter, Support and Housing Administration:

- “(f) the Fred Victor Centre work with the prospective owner of 418 Dawes Road and the Ward Councillor to develop a tenant plan to protect the interests of the existing tenants as a part of the conversion of the building to non-profit management, and that the tenant plan be approved by the General Manager, Shelter, Support and Housing Administration, such plan to form part of the agreements in Recommendation 4(e) above;”.

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

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

City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Clause to its next regular meeting on September 28, 2005.

**46 Provincial Property Tax Pass-Through for Recreational Leases in Hydro Corridor Lands (City-Wide)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**47 Proposed Construction and Management of a Jewish War Memorial in Earl Bales Park (Ward 10 - York Centre)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**48 A Proposed Financing Model for the Bloor Street Transformation Project (Ward 27 - Toronto Centre-Rosedale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**49 Authority for the “A Bunch of Guys” to Receive Donations for the Planning, Design and Redevelopment of the Oriole Park Playground (Ward 22 - St. Paul’s)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**50 Theatre Market Research Project (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**51 Authority for the City to Receive Donations of Cash for the Planning, Design and Development of a BMX Bicycle Racetrack Facility at Marilyn Bell Park (Ward 14 - Parkdale-High Park)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by:

(1) adding to the end of Recommendation (2) contained in the report (June 27, 2005) from the General Manager, Parks, Forestry and Recreation and the Deputy City Manager and Chief Financial Officer, as amended by the Economic Development and Parks Committee, the words “and at the end of 3 years, the project be reviewed”, so that Recommendation (2) now reads:

“(2) City Council establish an obligatory reserve fund called ‘the Marilyn Bell Park BMX Racetrack and Extreme Sports Facility Reserve Fund’, the purpose of which is to receive donations for the BMX Racetrack and Extreme Sports Facility at Marilyn Bell Park, to fund the planning, design and development of the Marilyn Bell Park BMX Racetrack and Extreme Sports Facility, and at the end of 3 years, the project be reviewed.”; and

(2) adding the following:

“That Council adopt the following staff Recommendations (1) and (2) contained in the Recommendations Section of the supplementary report (July 19, 2005) from the General Manager, Parks, Forestry and Recreation:

‘It is recommended that:

- (1) the conceptual layout for the proposed BMX Racecourse, BMX Freestyle Area and the Skateboard Park be subject to consultation, review and input of the community, park users, and other stakeholders including the Toronto Waterfront Revitalization Corporation; and
- (2) the proponent (Michael Heaton) be requested to prepare more detailed conceptual plans based on these public consultations.’ ”

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

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Council also considered the following:

- Report (July 19, 2005) from the General Manager, Parks, Forestry and Recreation [Communication 35(a)].

**52 2005 Capital Budget Adjustment for Harbourfront Park Development (Ward 20 - Trinity-Spadina)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential communication (July 6, 2005) from the Economic Development and Parks Committee [Confidential Communication C.8(a)]. This communication is now public, in its entirety, and contains the following recommendation:

“The Economic Development and Parks Committee recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the Confidential report (June 27, 2005) from the General Manager, Parks, Forestry and Recreation, respecting the 2005 Capital Budget Adjustment for Harbourfront Park Development, and because the advice involves security of the property of the Municipality, under the *Municipal Act, 2001*, discussions be held In-Camera.”

- Confidential report (June 27, 2005) from the General Manager of Parks, Forestry and Recreation. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the security of the property of the municipality:

“It is recommended that:

- (1) the 2005 approved Parks, Forestry and Recreation Capital Budget for the ‘Harbourfront Park Development 2005-06’ project (CPR117-35-03) be increased by \$3,000,000.00 (drawn from the Harbourfront Parklands Reserve Fund XR3200), to be cash flowed in 2006;
- (2) this report be forwarded to Policy and Finance Committee for its consideration; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**53 Best Generation Yet - Toronto Vision for Children**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**54 Public Education in Ontario’s Cities**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, referred this Clause back to the Policy and Finance Committee for consideration at its meeting on September 20, 2005, and directed that copies of this Clause be forwarded to the Hummingbird Centre for the Performing Arts Board of Directors and to the St. Lawrence Neighbourhood Association.

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Council also considered the following:

- Report (July 21, 2005) from the Deputy City Manager and Chief Financial Officer and the City Solicitor [Communication 39(a)].

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

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

### **Administration Committee Report 6**

#### **1 Appeals Report - 2005 Access and Equity Grant Program**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

#### **2 Recipients - 2005 - City of Toronto Access, Equity and Human Rights Awards**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Clause to its next regular meeting on September 28, 2005.

#### **4 Insurance Adjusting Services Contract Extension**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

#### **5 Auditor General Procurement Processes Review Recommendation 35 Bid Bonds/Performance Bonds**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

#### **6 Request for Proposal 9105-05-7066 Group Property and Automobile Insurance Program for Employees and Elected Officials**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**7 Actuarial Valuation - Toronto Civic Employees' Pension and Benefit Fund as of December 31, 2004**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Councillor Ashton declared an interest in this Clause, in that his father-in-law is a member of the subject pension fund.

**8 Actuarial Valuation - Toronto Fire Department Superannuation and Benefit Fund as of December 31, 2004**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**9 Policy for Access to Information to Members of Council at Various Stages of the Procurement Process**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the Treasurer be directed to review procurement best practices with respect to Request for Proposal scoring, monitoring and evaluation, within the Greater Toronto Area and the Toronto Transit Commission, and report to the Administration Committee in November 2005, with his research and recommendations.”

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

**10 Uncollectable Water Arrears - Greater than \$10,000**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**11 Apportionment of Property Taxes**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**12 Tax Adjustment - *Municipal Act, 2001* Section 357**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.



**13 Apportionment of Taxes - Treasurer Initiated Applications**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**14 Metroland Publishing Open Contract Number 47009067 Globe and Mail Open Contract Number 47009074**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That:

- (1) the Budget Advisory Committee, during the 2006 budget process, be requested to give consideration to reducing the advertising budget for all divisions by \$500,000.00;
- (2) the Chief Corporate Officer be requested to:
  - (a) convene a vendors’ meeting prior to the next REOI process;
  - (b) ensure that the next REOI process is open to all Toronto ethnic media and that the multi-lingual media are aware of the requirements of the process;
  - (c) provide an opportunity for instructions within the current purchasing by-law to assist with understanding in how to complete the process; and
  - (d) report annually to the Administration Committee, as part of the budget process, outlining the budget and actual expenditures for the previous year by program; and
- (3) the revised Attachment A, appended to the Briefing Note (July 15, 2005) from the Deputy City Manager and Chief Financial Officer respecting this Clause, be referred to the Administration Committee with a request that the Committee consider setting a maximum spending limit for the individual publications based on the spending to date.”

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

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Council also considered the following:

- (July 15, 2005) Briefing Note from the Deputy City Manager and Chief Financial Officer [Communication 22(a)].

**15 Declaration as Surplus 547A Parliament Street (Ward 28 - Toronto Centre-Rosedale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**16 Declaration as Surplus Vacant Land Located South of Cripps Avenue Between Hilldale Road and Spears Street, Rear of 63 to 75 Hilldale Road and 124 to 140 Spears Street (Ward 11 - York South Weston)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**17 Declaration as Surplus Rear of 2212 Eglinton Avenue West (Ward 15 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**18 City Hall Energy Retrofit Contract - Ameresco Canada**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**19 Application for Approval to Expropriate 194 Dowling Avenue (also known as 1495 Queen Street West) for the Purpose of Developing Affordable Housing on a Derelict Housing Site (Ward 14 - Parkdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**20 405 and 390-444 Dufferin Street - Expropriation of Property Interests - Dufferin Street Jog Elimination at Queen Street West - Proposed Dufferin Street Underpass Project (Ward 18 - Davenport)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (July 18, 2005) from Andrew J. Heal, Blaney McMurtry LLP [Communication 28(a)]; and
- (July 19, 2005) from the Manager, Service Planning, Toronto Transit Commission [Communication 28(b)].

**21 City Hall and Metro Hall Cafes and the Civic Centre Cafeterias (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**22 2004 Contract 47008464 for Clear Diesel Fuel**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**23 Voice over Internet Protocol (VoIP) – Pilot Project Update**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**24 Supply and Delivery of a Mainframe Computer Services Strategy - Request for Proposal No. 3412-05-3122**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**25 Centralized Photocopier and Facsimile Machine Acquisitions**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**26 3-1-1 Customer Service Strategy: 2005 Capital Budget Request and 2006/2007 Capital Budget Progress Report**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by:

- (1) adding the following Part (f) to Recommendation (1) contained in the report (June 17, 2005) from the City Manager:

“(f) \$0.050 million for independent overall-project plan validation services;” and

(2) adding the following:

“That:

- (a) the Deputy City Manager and Chief Financial Officer, in consultation with the Toronto Transit Commission, be requested to report to the Administration Committee on the possibility of including an IT platform for real time transit passenger information in the proposal call, similar to the one now in operation in the call centre in the San Francisco area; and
- (b) the Deputy City Manager and Chief Financial Officer be requested to begin the process for having the Council Chamber at Metro Hall historically designated, and that Heritage Preservation Services be requested to ensure that full documentation of the original state of the Metro Hall Council Chamber is prepared.”

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

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Council also considered the following:

- Report (July 14, 2005) from the City Manager [Communication 4(b)].

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Communication:

- (June 30, 2005) from Nancy C. Farquharson [Communication 4(a)].

## **27 Municipal Code Chapter 217, Record’s Corporate (City) Amendments**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Clause to its next regular meeting on September 28, 2005, and requested the Director of Court Services to report at that time on the feasibility of a similar agreement to be negotiated with the Toronto Transit Commission, with revenues raised from Provincial Offence charges issued by TTC constables forwarded to the TTC less the administration costs incurred by Toronto Court Services.

**29 Purchase of 646 St. Clair Avenue West for Municipal Parking Purposes (Ward 21 - St. Paul's)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (June 14, 2005) from the President, Toronto Parking Authority [Confidential Communication C.9(a)]. The following staff recommendations contained in the Recommendations Section of the report and the Location Map are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, at it contains information pertaining to the acquisition of land for municipal purposes:

“It is recommended that:

- (1) City Council approve the acquisition of 646 St. Clair Ave West for \$1,135,110.00. This expenditure consists of \$950,000.00 to acquire the land and up to \$365,110.00 for the associated costs, such as land transfer tax, survey, environmental studies, legal, demolition and the upgrade costs of a municipal surface parking lot;
- (2) upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the Toronto Parking Authority (TPA); and
- (3) the appropriate City officials be authorized to take the actions necessary to give effect thereto.”

**30 Proceeding with the Purchase of 663 Gerrard Street East for Municipal Parking Purposes (Ward 30-Toronto Danforth)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (June 14, 2005) from the President, Toronto Parking Authority [Confidential Communication C.10(a)]. The following staff recommendations contained in the Recommendations Section of the report and the Location Map are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, at it contains information pertaining to the acquisition of land for municipal purposes:

“It is recommended that:

- (1) City Council confirm its approval for the acquisition of 663 Gerrard Street East for the revised estimated cost of \$731,840.00. This expenditure consists of \$490,000.00 to acquire the land and an estimated \$241,840.00 for associated costs such as land transfer tax, survey, initial remediation, legal, demolition and the upgrade costs of a municipal surface parking lot; and
- (2) the appropriate City officials be authorized to take the actions necessary to give effect thereto.”

### **31 Croplife v. City of Toronto**

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

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

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

## **Audit Committee Report 3**

### **1 Fleet Operation Review - Phase Two**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

### **2 Auditor General’s Proposed Participation in the International Program for Improved Governance and Accountability in South Africa**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

### **3 Auditor General’s External Peer Review - 2006**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

### **4 Outstanding Audit Recommendations Follow-up Process**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That in the initials stages of the Auditor General’s new follow-up process, the administration staff response time be extended by three months, due to the expected high work volume.”

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

**5 2004 Audited Financial Statements and Summary Management Letter - Community Centres and Arenas**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 City of Toronto Audit Results - Year Ended December 31, 2004**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**7 2004 Sinking Fund Financial Statements**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**8 2004 Audited Consolidated Financial Statements**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the Treasurer be requested to:

- (1) prepare a Capital Asset Accounting (fixed asset accounting) System implementation plan in anticipation of the Canadian Institute of Chartered Accountants Public Sector Accounting Board’s pending recommendations that local governments move to full accrual accounting for their financial statements; and
- (2) report to the Administration Committee meeting on November 7, 2005 on the implementation plan.”

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

**9 2004 Audited Consolidated Trust Fund**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**10 2004 Financial Statements of Business Improvement Areas**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**11 Audited Financial Statements and Audit Results for the Year Ended December 31, 2004 For the City's Agencies, Boards and Commissions**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Clause to its next regular meeting on September 28, 2005.

**13 Performance Indicators for the Purchasing and Materials Management Division - Quarterly Report**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**14 Potential Claim Against Beacon Software Systems, LLC and Remarkable Software, Inc.**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (March 23, 2005) from the City Solicitor [Confidential Communication C.20(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

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- Confidential report (July 6, 2005) from the City Solicitor [Confidential Communication C.20(b)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.



## **15 Other Items Considered by the Audit Committee**

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

### **Board of Health Report 6**

#### **1 Sole Source Contract for 100% Provincially Funded Parenting Program**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

#### **2 iPHIS Implementation**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

### **Community Services Committee Report 6**

#### **1 Request for Council's Authorization for Sole-Sourced Purchase of Two Demonstrator Specialized Rescue Bronto Fire Apparatus from E-One Inc. Required for Emergency Rescue Efforts**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

#### **2 Amendment to Fire Routes By-law**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

#### **3 Process for Condominium Corporations to Make Submissions to Toronto Fire Services Concerning the Recovery of Unpaid Fees by Condominium Corporations to the City**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That a copy of the written submissions received from condominium corporations or owners of condominium units and responses from Toronto Fire Services be provided to the respective Councillors.”

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

**4 Request for Proposal (RFP) No. 3806-04-0246 for the Supply and Delivery of Bunker Suits and to Provide a Care Program for the Bunker Suits**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause in accordance with the staff recommendations contained in the Recommendations Section of the supplementary report (July 18, 2005) from the Treasurer and the Fire Chief and General Manager, subject to amending Recommendation (8) to now read as follows:

- “(8) the City Solicitor be authorized to commence action to protect the City’s interests, including pursuing damages from Innotex Inc., resulting from Innotex Inc.’s failure to provide the bunker suit care program in accordance with its December 2004 proposal to the City, and to report back to Council as appropriate;”

so that the recommendations, as amended, now read as follows:

“It is recommended that the recommendations in the Community Services Committee Report 6, Clause 4 be struck and replaced with the following:

- (1) the contract for Supply and Delivery of Bunker Suits (firefighter protective clothing) be awarded to Starfield Lion Company who submitted the proposal having the overall highest scoring based on evaluations, to enter into an agreement, subject to Recommendation (2);
- (2) the appropriate City staff be authorized to negotiate and enter into an agreement for the supply and delivery of bunker suits with Starfield Lion Company. The resulting contract will be for purchase of bunker suits for a five (5) year term for the period from January 1, 2006 to December 31, 2010, total cost to the City is \$3,751,071.00, including all applicable taxes and charges, \$3,522,745.00 net of the GST, in accordance with the requirements of Toronto Fire Services consistent with the RFP, satisfactory to the Fire Chief, the Deputy City Manager/Chief Financial Officer in form and content acceptable to the City Solicitor;
- (3) the contract to provide the care program for fire fighting protective clothing (bunker suits) be awarded to Starfield Lion Company, subject to Recommendation (4);
- (4) the authority be delegated to the Fire Chief and General Manager of Fire Services to negotiate and enter into an agreement with Starfield Lion Company for the care program, resulting in a contract for a five (5) year term for the period from January 1, 2006 to December 31, 2010 at a maximum cost to the City of

\$1,777,785.00 including all applicable taxes and charges, \$1,669,572.00 net of the GST, in accordance with the requirements of Toronto Fire Services consistent with the proposal and RFP, satisfactory to the Fire Chief, the Chief Financial Officer and Treasurer in form and content acceptable to the City Solicitor;

- (5) funding for the purchase of the initial order of 2,850 bunker suits for 2006 be provided from the Capital Financing Reserve Fund to a maximum cost of \$3,002,589.00 net of the GST. This amount plus financing charges of \$269,971.00 is to be repaid to the reserve fund from Fire Services' operating budget account FR0019, 6030 - Contributions to Reserves in annual payments of \$654,512.00 beginning with budget approval in 2006 and ending with budget approval in 2010;
- (6) funding for the purchase of up to 115 additional suits for each year from 2007 to 2010 be provided from the Fire Services' operating budget account FR0019, 2665 – Protective Clothing in maximum amounts of \$124,604.00, \$128,156.00, \$131,813.00, and \$135,583.00 for each year respectively said amounts being net of the GST;
- (7) any surplus in the existing operating funds of \$1,192,540.00 for the bunker suit acquisition and care programs in 2006 be used in Fire to fund extraordinary repairs, emergency replacement and maintenance of existing bunker suits used as spares for firefighters, and be used in 2007 to 2010 to fund the 115 annual additional suit acquisitions;
- (8) the City Solicitor be authorized to commence action to protect the City's interests, including pursuing damages from Innotex Inc., resulting from Innotex Inc.'s failure to provide the bunker suit care program in accordance with its December 2004 proposal to the City, and to report back to Council as appropriate; and
- (9) the appropriate City officials are authorized and directed to take the necessary action to give effect thereto."

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

Council also considered the following:

- Report (July 18, 2005) from the Treasurer and the Fire Chief and General Manager, Toronto Fire Services [Communication 34(a)].

## **5 Status Report on Child Care Subsidy Spaces for 2005**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (July 18, 2005) from the General Manager, Children’s Services Division:

‘It is recommended that:

- (1) the Children’s Services Division be authorized to receive funds allocated to the City under the provincial Best Start Plan for 2005/2006;
- (2) the General Manager report back to the September 2005 Community Services Committee and Policy and Finance Committee on the implementation of Best Start, including the specific allocation to the City, budget adjustments for 2005 and the impact on the future year budgets;
- (3) authority be granted to the Children’s Services Division to increase fee subsidy spaces at no net costs to the City in accordance with the 2005-2009 Child Care Service Plan and the Best Start Guidelines; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

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

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Council also considered the following:

- Report (July 19, 2005) from the General Manager, Children’s Services Division [Communication 23(a)].

## **6 Federal Funding to Review Municipal Involvement in Early Learning and Child Care**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**7 Review of the “Realizing the Potential of HOME CARE: Competing for Excellence by Rewarding Results” Report Released in May 2005 by the Ministry of Health and Long-Term Care, under the Leadership of the Honourable Elinor Caplan, PC**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**8 Review of the Recommendations Contained in the Verdict of the Coroner’s Jury Regarding the Deaths of Ezz-El-Dine El-Roubi and Pedro Lopez, Casa Verde Nursing Home, Toronto, June 2001**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**9 Over-expenditure of Blanket Contract No. 47005864 - KCI Medical Canada Inc.**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**10 Food Security and Service Development Investment Programs**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**11 Interim Report on 2004-2005 Ontario Works Incentive Fund Projects**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**12 Report on the Administration of the Toronto Youth Job Corps (TYJC) and Youth Employment Toronto (YET) Programs**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**13 Kids @ Computers Scholarship Project - Impacts, Outreach and Recognition**

City Council on July 19, 20, 21 and 26, 2005, adopted the following staff recommendations contained in the Recommendations Section of the supplementary report (July 11, 2005) from the Chief Corporate Officer:

“It is recommended that:

- (1) the Toronto Children's Breakfast Club be directed to contact Computers for Schools Ontario in accordance with the City of Toronto's technology asset disposal policy in order to request a donation of surplus computers; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

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

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Council also considered the following:

- Report (July 11, 2005) from the General Manager, Social Services Division [Communication 5(a)]; and
- Report (July 11, 2005) from the Chief Corporate Officer [Communication 5(b)].

#### **14 Quality Assurance Review of Shelters**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

#### **15 Costs and Feasibility of Including a Standard Letter from Councillors in the Notice to Tenants on Automatic Rent Reductions**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communication:

- (June 28, 2005) from the Integrity Commissioner, addressed to and submitted by Councillor Jane Pitfield, Ward 26, Don Valley West [Communication 3(a)].

#### **16 Public Information and Education Program Regarding Termite Identification, Treatment and Eradication**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**17 Operator of an Emergency Shelter for Homeless Adults Request for Proposal 9155-04-7392 (Ward 15 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause to provide that the project be subject to Site Plan Control.

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

**18 Tenant Support Grant Program - 266 Sherbourne Street**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**19 Tenant Support Grant Program - 545, 555 and 565 Sherbourne Street Tenants Association**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**20 Retirement Homes - Provincial Regulations**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**21 Request to Minister of Human Resources and Skills Development Canada to Restore Funding for Community Services**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**22 Other Items Considered by the Committee**

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

**Economic Development and Parks Committee Report 7**

**1 Application by Cityscape Holdings Incorporated and Dundee Distillery District (GP) Incorporated for a “Tourist Area” Exemption for The Distillery Historic District from the *Retail Business Holidays Act* (Ward 28 - Toronto Centre-Rosedale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

## **2 Event Enhancement Strategy (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the following recommendations be referred to the Deputy City Manager for a report to the Economic Development and Parks Committee:

‘That:

- (1) Attachment 1, referred to in Recommendation (1) of the report (June 16, 2005) from the Deputy City Manager, be amended by adding to Section 10, the words “including the charge backs to the City for events sponsored by the City in Dundas Square”, so that Section 10 now reads:

“10. Review of all City service fees related to event production. Propose strategies to examine, clarify and possibly adjust fees where applicable. The Deputy City Manager will work with the Chief Financial Officer and other Divisions to explore options and to develop an implementation plan with associated costs prior to Council consideration of the 2006 budget process, including the charge backs to the City for events sponsored by the City in Dundas Square”; and

- (2) the Toronto Police Services Board be requested to report to the Economic Development and Parks Committee on the feasibility of establishing a special policing unit, funded entirely by the City, in order to replace the need for paid duty for events.”

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

## **3 A Focused Revitalization Program in Support of Toronto’s Employment Districts and Employment Areas (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That:



- (1) the Chief Planner and Executive Director, City Planning, be requested to review the feasibility of encouraging the rezoning of commercial properties to multi-use, instead of strictly residential use, to ensure the commercial tax base does not continue to erode;
- (2) the Executive Director of Economic Development be requested to:
  - (a) give consideration to selecting the following areas as priority Employment Revitalization Areas:
    - (i) the Etobicoke City Centre area; and
    - (ii) the Consumers Road Employment; and
  - (b) review the feasibility of applying an Employment Revitalization (ER) designation to the Orfus Road Employment Area as an industrial district in transition, and report to the Economic Development and Parks Committee on the outcome of this review.”

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

**4 Public Art Project at 339 Queens Quay West - Technical Amendment (Ward 20 - Trinity-Spadina)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**5 Economic Development Sector Initiatives Program (EDSIP) and the Economic Sponsorship Initiatives (ESI) - Appeals Report (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 Poll Results - Proposed Designation of the Mirvish Village Business Improvement Area (Wards 19 and 20 - Trinity-Spadina)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**7 Parks, Forestry and Recreation Revenue Review - Phase II (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

## **8 Interim Report on Options for Free Recreation Programs for Children and Youth (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by:

- (1) adding to Recommendation (1) contained in the report (June 21, 2005) from the General Manager, Parks, Forestry and Recreation, the words “such report to also include an analysis of the Scarborough Recreation and Parks programs which were in place prior to amalgamation”, so that Recommendation (1) now reads as follows:

“(1) Parks, Forestry and Recreation consult with the community and staff on preliminary options for free recreation programs for children and youth, reporting back in spring 2006 with a final set of options for Council’s consideration, such report to also include an analysis of the Scarborough Recreation and Parks programs which were in place prior to amalgamation; and”;

- (2) adding the following:

“That City Council adopt the following Resolution:

‘**WHEREAS** recently the Federal Minister of Public Health, Dr. Carolyn Bennett, and the Provincial Minister of Education, Gerard Kennedy, both promised funding for mandatory swimming programs for children;

**NOW THEREFORE BE IT RESOLVED THAT** the City support the offering of free swimming lessons for all Grade 3 (age 8) students by the School Boards and/or the City, on the condition that the annual operating funds be found through the federal and provincial governments; and

**AND BE IT FURTHER RESOLVED THAT** the Aquatic and Pool Strategy Working Group report to City Council, through the Economic Development and Parks Committee, in October 2005 on providing swimming lessons for Grade 3 children and the success it has in bringing funding from the federal and provincial governments.’ ”

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

**9 2005 Recreation Grants Program - Recommendations and Appeals (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That:

- (1) all future grants progress reports list agencies that serve the entire City in a separate category and not by their headquarters;
- (2) any additional funds allocated through the 2006 Recreation Grants Program be allocated to priority communities outside the downtown core pursuant to the forthcoming strategy to be reported by the City Manager; and
- (3) the Scadding Court Community Centre be requested to assist the recreational needs of the Alexandra Park Residents Association, and the General Manager of Parks, Forestry and Recreation be requested to report to the Economic Development and Parks Committee for its November 9, 2005 meeting on how the two associations may assist each other and what joint projects are being undertaken.”

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

**10 2005 Community Festivals and Special Events Grants Program - Appeals (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That any additional funds allocated through the 2006 Community Festivals and Special Events Grants Program be allocated to priority communities outside the downtown core pursuant to the forthcoming strategy to be reported by the City Manager.”

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

**11 Contribution of Portion of the Funds Required for the Construction of an Outdoor Sports Pad and Baseball Diamond - Toronto District School Board (TDSB) - Rose Avenue Public School and Entering into an Agreement with the TDSB for the Shared Use of the Facility (Ward 28 - Toronto Centre-Rosedale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**12 Closure of the Chalkfarm Community Recreation Centre - Relocation of Recreation Programs and Services (Ward 7 - York West)**

City Council on July 19, 20, 21 and 26, 2005, adopted the following:

“That:

- (1) the City not vacate the Centre until and unless a successful Order to Vacate is mandated by the Courts, and the Landlord be advised of the City’s intention to continue to operate programs at the present location at the Chalkfarm Community Recreation Centre on the same terms that the City presently has; and
- (2) the supplementary report (July 12, 2005) from the General Manager, Parks, Forestry and Recreation be received.”

City Council, at the in-camera portion of its meeting, also issued confidential instructions to staff, which are to remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information that is subject to solicitor-client privilege.

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

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Council also considered the following:

- Report (July 12, 2005) from the General Manager, Parks, Forestry and Recreation [Communication 36(a)].

**13 Amend Dollar Amount of Blanket Contract 47008228 Quotation Request 1201-03-5086 for Electrical Services at Various Economic Development, Culture and Tourism Facilities and Parks**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**14 Operation of Beverage Services for Cold Drink Vending Machines and Pouring Rights - Request for Proposal (RFP) 0604-05-0151 (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by:

- (1) deleting from Recommendation (2) contained in the report (June 16, 2005) from the General Manager, Parks, Forestry and Recreation, all of the words after the date “October 31, 2010”, so that Recommendation (2) now reads as follows:
  - “(2) authority be delegated to the General Manager of Parks, Forestry and Recreation to negotiate and execute a License Agreement with The Pepsi Bottling Group in form and content, consistent with the RFP and acceptable to the City Solicitor for the period from November 1, 2005 to October 31, 2010; and”; and
- (2) adding the following:
  - “That:
    - (a) at the end of the above licence agreement, the General Manager, Parks, Forestry and Recreation be requested to report to Council, through the Economic Development and Parks Committee, for approval of RFP criteria, prior to proceeding to tender, such report to address the option of:
      - (i) providing 100 percent juice, water and milk in vending machines; and
      - (ii) with the exception of water, providing products that will not be delivered in a serving size greater than 250 ml.; and
    - (b) a comparative nutritional guide be illustrated and fixed to the front of all vending machines to demonstrate the difference between healthy options and unhealthy options provided by each vending machine in a user-friendly format.”

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

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Council also considered the following:

Communication:

- (undated) from Councillor Chow, Ward 20, Trinity-Spadina, forwarding a Globe and Mail article, entitled “Pop Goes the Waist Band” [Communication 41(a)].

**15 Major Recreation Grants Program – Variety - The Children’s Charity (Ward 36 - Scarborough Southwest)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the General Manager, Parks, Forestry and Recreation be requested to report to the Economic Development and Parks Committee for its meeting on October 17, 2005, on any funding available due to under-expenditures.”

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

**16 Update Report on Toronto Trails Festival and Parks, Forestry and Recreation (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**17 Licensing of City-owned Lands Adjacent to the Palais Royale for the Construction of a Shared Use Parking Facility, a Vehicle Turn-around and Improvements to the Martin Goodman Trail (Ward 14 - Parkdale-High Park)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**18 Terms of Reference - Toronto Aquatic and Pool Strategy Working Group (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**19 Harmonization of Insurance Requirements for Community Groups and Parks, Forestry and Recreation Permits**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**20 Appointments to the Toronto Centre for the Arts Board of Directors**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (July 11, 2005) from the Deputy City Manager:

‘It is recommended that:

- (1) Council repeal By-law 149-2000 and reinvest in the Toronto Centre for the Arts Board of Directors the powers of the Board currently assumed by Council; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be required.’ ”

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

Council also considered the following:

- Report (July 11, 2005) from the Deputy City Manager [Communication 7(a)].
- Confidential communication (June 22, 2005) from the Nominating Panel for the Toronto Centre for the Arts Board of Directors [Confidential Communication C.11(a)]. This communication is now public in its entirety, and contains the following recommendations:

“The Nominating Panel for the Toronto Centre for the Arts Board of Directors recommended to the Economic Development and Parks Committee that:

- (1) the confidential communication (June 21, 2005) from the Executive Manager, Toronto Centre for the Arts, be received;
- (2) the Toronto Centre for the Arts Board of Directors be comprised of:
  - (a) 5 Councillors as follows:  
Councillor Augimeri;  
Councillor Carroll;  
Councillor Feldman;  
Councillor Filion; and  
Councillor Shiner; and

- (b) 7 citizen members as follows:

Aubrey Dan – Businessman/Producer;  
Merle Garbe - Community Producer;  
Leonard Glickman – Entertainment Lawyer;  
Elizabeth MacRae – Educator;  
Craig Mather – Administrator/Engineer;  
Bryan Graham, - KPMG/ Arts Board Volunteer;  
and  
George Mok – Businessman;

- (3) in the event that Bryan Graham or George Mok do not accept the appointment, that the following potential candidates be appointed in the order indicated:

- (a) Luigi Ferrara – Architect/Educator (1st choice);  
and  
(b) Linda Friendly – PR/Marketing Consultant (2nd choice); and

- (3) in accordance with the *Municipal Act, 2001*, discussions pertaining to this item be held in-camera, having regard that the subject matter relates to personal matters about an identifiable individual, including municipal or local board employees.”

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- Confidential communication (June 21, 2005) from Stan Shortt, Executive Manager, Toronto Centre for the Arts. This communication remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals.

## **21 Toronto Heritage Grant Program - Proposed Restructuring (City-wide)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.



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## **Planning and Transportation Committee Report 6**

### **1 Archaeological Master Plan - Interim Screening of Development Applications and Proposals City Wide - All Wards**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

### **2 Revised Land Use Mapping for the New Official Plan - 003011**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (July 14, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

- (1) Council approve and replace Maps 15 and 16 from the package of revised land use plan maps forwarded to Council by Planning and Transportation Committee at its meeting on June 27, 2005;
- (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board hearing to give effect to the revised Land Use Plan Maps; and
- (3) the appropriate City officials be authorized to execute any necessary documentation, in a form satisfactory to the City Solicitor.”

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

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Council also considered the following:

- Report (July 14, 2005) from the Chief Planner and Executive Director, City Planning [Communication 25(a)].

### **3 Toronto Licensing Tribunal Decisions Regarding 222 Spadina Avenue**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (June 9, 2005) from the City Solicitor [Confidential Communication C.12(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that the City Solicitor be instructed to initiate judicial review proceedings of the Toronto Licensing Tribunal’s decisions dated March 17, 2005, April 20, 2005, and April 22, 2005, in respect of four licensed food establishments located at 222 Spadina, namely:

- (a) 1081162 Ontario Ltd – Operating as Chu Kwong Restaurant;
- (b) Si Nam Ng and Wai Chan Operating as Cantonese Stir Fry Restaurant;
- (c) Wing Sing Kwan- Operating as Jumbo Chinese Combo aka Jan Bao Delight; and
- (d) Tuyet Mai Hua – Operating as Golden Bull Restaurant.”

#### **4 Temporary Sign By-law - Principles and Proposed By-law Provisions for a City-Wide A-Frame and Mobile Signs By-law**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by amending the definition of “school”, contained in Appendix H, entitled “Charitable and Religious Institutions, Community Organizations and Schools”, attached to the report (June 13, 2005) from the Executive Director, Municipal Licensing and Standards, by deleting Part (3) and inserting instead the following:

“(3) ‘school’ means a ‘school’ or a ‘private school’ as defined in the *Education Act*:

School:

- (a) the body of elementary school pupils or secondary school pupils that is organized as a unit for educational purposes under the jurisdiction of the appropriate board; or
- (b) the body of pupils enrolled in any of the elementary or secondary school courses of study in an educational institution operated by the Government of Ontario;

and includes the teachers and other staff members associated with the unit or institution and the lands and premises used in connection with the unit or institution.

Private School:

an institution at which instruction is provided at any time between the hours of 9:00 a.m. and 4:00 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and is not defined in (a) or (b).”

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

**5 Transfer of Solid Waste Management Enforcement Team to Municipal Licensing and Standards Division**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 Licensing Strategy to Deal with Illegal Body Rub Activity in Licensed Premises**

City Council on July 19, 20 and 21, 2005, amended this Clause:

(1) by amending the recommendations of the Planning and Transportation Committee:

(a) by deleting Recommendation (1)(a) and inserting instead the following:

“(1) City Council:

(a) adopt the staff recommendations contained in the Recommendations Section of the report (June 20, 2005) from the Executive Director, Municipal Licensing and Standards, subject to:

(i) amending Recommendation (4)(x) by deleting the words ‘within 200 metres’ and inserting instead, the words ‘within 500 metres’, so that Recommendation (4)(x) now reads as follows:

‘(4)(x) No Holistic or Traditional Medicine Establishment shall be located within 500 metres of any licensed Adult Entertainment Parlour and Body Rub Parlour;’,

and deferring consideration of this recommendation, as amended, until the Chief Planner and Executive Director, City Planning reports to the Planning and Transportation Committee on possible amendments to the Zoning By-law which would have the same effect;

(ii) deleting Recommendation (4)(ix) and inserting instead the following:

‘(4)(ix) No premises in which a Holistic or Traditional Medicine Establishment is located shall be constructed or equipped so as to hinder or prevent the enforcement of the By-law, however, Holistic Practitioners working in a Holistic Centre shall be permitted to lock the doors of the Centre and the treatment room while working with a client, for their mutual security and safety, while indicating in a manner clearly visible from outside the Holistic Centre when they will be available, and unlock the door by that time;’; and

(iii) deleting the following Recommendation (6), as there is no reasonable purpose for requiring health checks for holistic practitioners:

‘(6) the Medical Officer of Health be requested to report to the Board of Health, such report to be then forwarded to the Executive Director of Municipal Licensing and Standards to prepare a corresponding report to the Planning and

Transportation Committee, dealing with the appropriateness of requiring health checks for Body Rub Attendants and Holistic and Traditional Medicine Practitioners;’;

- (b) by adding to Recommendation (2) the words ‘and the Executive Director of Municipal Licensing and Standards consult with the Holistic Health Research Foundation of Canada in the evaluation of submissions from the Associations’, so that Recommendation (2) now reads as follows:

‘(2) the fees for Holistic licenses be maintained as presently constituted and the Executive Director of Municipal Licensing and Standards consult with the Holistic Health Research Foundation of Canada in the evaluation of submissions from the Associations;’; and

- (c) in accordance with the staff recommendations contained in the Recommendations Section of the confidential report (July 13, 2005) from the City Solicitor, subject to amending Recommendation (2) by adding the words ‘and the hearing be limited only to matters that pertain to the increase in fees to other than holistic categories’. The following staff recommendations, as amended, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege:

‘It is recommended that:

- (1) Recommendation (3) of the Planning and Transportation Committee, that the 2005 Business Licensing Fees (both for new licences and renewals thereof) for all other businesses licensed under the Toronto Municipal Code Chapter 545, be increased by \$35.00, not be adopted; and
- (2) Recommendation (3) of the Planning and Transportation Committee be referred back to the Committee for further consideration after public notice of the Committee’s intention to discuss a proposed licensing by-law increasing licensing fees for all licensed businesses has been given in accordance with the requirements of the *Municipal Act, 2001*, and Toronto Municipal Code

Chapter 545, Notice, Public, and the hearing be limited only to matters that pertain to the increase in fees to other than holistic categories.’;

- (2) to provide that the current Licensing By-law requirement that prospective Holistic Establishment Owner/Operators provide a letter from their landlord stipulating their awareness that their prospective tenant is a Holistic Establishment Operator, be struck out and a requirement be substituted instead that, on conclusion of the negotiation of a lease, the Holistic Establishment Operator must provide a copy of a letter to Municipal Licensing and Standards demonstrating that they have notified the property owner in writing of the nature of their business operation, including a copy of the licensing regulations affecting Holistic Establishments attached to that letter, and also a copy of their lease; and

- (3) by adding the following:

“That:

- (a) the Mayor be requested to write to the Attorney General to impress upon the judicial system the seriousness of Criminal Code offences originating from illegal body rub activities;
- (b) the Toronto Police Services Board be requested to direct that the Toronto Police Service establish a formal protocol to co-ordinate operations and share information with Municipal By-law Enforcement to control the sex trade;
- (c) the Police Chief be requested to delegate a senior official to work closely with Municipal Licensing and Standards on shutting down all illegal Body Rub Establishments;
- (d) the Deputy City Manager be requested to report to the Planning and Transportation Committee on the feasibility of requiring Landlords to include in their leases with Body Rub Parlours, Holistic Centres, or Traditional Medicine Centres, an explicit provision that the lease will be terminated upon conviction of the Body Rub Parlour, Holistic Centre, or Traditional Medicine Centre for operating without a valid business license issued pursuant to Chapter 545 of the Toronto Municipal Code, or for a criminal conviction related to the operation of the Body Rub Parlour, Holistic Centre or Traditional Medicine Centre;

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- (e) the Executive Director, Municipal Licensing and Standards, in consultation with appropriate officials from the City of Markham, report to the Planning and Transportation Committee on October 6, 2005, on the effectiveness of the implementation of the Markham Registry By-law, in order to inform future actions regarding regulatory structures for the holistic health community to the exclusion of the sex trade in Toronto;
  - (f) the Executive Director, Municipal Licensing and Standards designate a staff liaison with whom representatives of the holistic community can be in regular contact, to:
    - (i) provide information and guidance to Municipal Licensing and Standards management and staff to assist in the effective implementation of the regulatory regime supported by Council; and
    - (ii) receive reports on the progress of, and issues arising from, that implementation;
  - (g) the Executive Director of Municipal Licensing and Standards be requested to:
    - (i) submit amendments to the Municipal Licensing By-law to the October 6, 2005 meeting of the Planning and Transportation Committee which would:
      - (1) amend the hours of operation for Holistic and Traditional Medicine Establishments to be 8:00 a.m. to 9:00 p.m., Monday to Saturday, and 12:00 noon to 5:00 p.m. on Sundays and Holidays;
      - (2) amend the hours of operation for Body Rub Parlours to be 9:00 a.m. to 9:00 p.m., Monday to Saturday, and 12:00 noon to 5:00 p.m. on Sundays and Holidays; and
      - (3) permit public entry to any Holistic or Traditional Medicine Establishment only from the primary entrance which must be facing the main street frontage of the premises;
    - (ii) report to the Planning and Transportation Committee on mechanisms for permitting unannounced access for inspectors, without requiring an unlocked front door;

- (iii) prepare a report for the purpose of regulating and/or prohibiting indecent, pornographic, inappropriate or specific items of public nuisance, as it pertains to advertising for body rub parlours, massage parlours and/or holistic designations, and consult with appropriate industry representatives, Business Improvement Associations and Ratepayers Associations in the preparation of this report;
  - (iv) report to the Planning and Transportation Committee meeting to be held on March 6, 2006, on a replacement of the licensing system for holistic establishments and practitioners, with a registry system requiring practitioners to show membership in a City-accredited professional association; and
  - (v) establish formal protocols for sharing licensing information about problem properties and investigations with surrounding municipalities;
- (h) the Chief Planner and Executive Director, City Planning Division, be requested to report to the October 6, 2005 meeting of the Planning and Transportation Committee with amendments to the City-wide Zoning Code to provide for the following restriction:
- ‘No establishment whose use is the provision of physical contact for sexual gratification as defined in the *Municipal Act, 2001*, be located within 200 metres of any residential zone, licensed Adult Entertainment Parlour, or Body rub Parlour.’;
- (i) no person with a criminal record be permitted to obtain or renew a Holistic License, unless they have first appeared before the Toronto Licensing Tribunal to give reasons as to why they should be granted a License, and any Holistic owner convicted of criminal offences have its Licenses reviewed immediately by the Licensing Tribunal; and
  - (j) volunteers and students be permitted to operate in non-profit settings, such as hospitals and hospices, for no remuneration, without being required to obtain a Holistic Practitioner licence.”

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Council also considered the following:



Communications:

- (July 8, 2005) from Alex Macdonald, Senior Associate, Strategic Communications Activation Analysis Group Inc. [Communication 6(a)];
  - (July 11, 2005) from Hongjian Sun, Member of the Association of Massage Therapists and Wholistic Practitioners [Communication 6(b)(1)];
  - (July 14, 2005) from Ted Hazen, Manager, Serenity Chair Massage [Communication 6(b)(2)];
  - (July 15, 2005) from Adela Gorodzinsky [Communication 6(b)(3)];
  - (July 15, 2005) from D. Leistner [Communication 6(b)(4)];
  - (July 15, 2005) from Leisa Bellmore [Communication 6(b)(5)];
  - (July 18, 2005) from David Pinto; Allison Erdmann, Past President, Shiatsu Therapy Association of Ontario; Victoria Lorient-Faibish; Don Reid, Governmental Affairs, Reflexology Registration Council of Ontario; Paul Overy and Angie Leavey [Communication 6(b)(6)]; and
  - (undated) from Timothy Phillips, Holistic Clinic Owner and Certified Shiatsu Therapist [Communication 6(b)(7)].
- 
- Confidential report (June 23, 2005) from the City Solicitor [Confidential Communication C.13(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege.
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- Confidential report (July 13, 2005) from the City Solicitor [Confidential Communication C.13(b)]. The following staff recommendations contained in the Recommendations Section of the report, as amended by Council, are now public and the balance of this report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege:

“It is recommended that:

- (1) Recommendation (3) of the Planning and Transportation Committee, that the 2005 Business Licensing Fees (both for new licences and renewals thereof) for all other businesses licensed under the Toronto Municipal Code Chapter 545, be increased by \$35.00, not be adopted; and
- (2) Recommendation (3) of the Planning and Transportation Committee be referred back to the Committee for further consideration after public notice of the Committee’s intention to discuss a proposed licensing by-law increasing licensing fees for all licensed businesses has been given in accordance with the requirements of the *Municipal Act*,

2001, and Toronto Municipal Code Chapter 162, Notice, Public, and the hearing be limited only to matters that pertain to the increase in fees to other than holistic categories.”

**7 Administrative Charges for Remedial Work**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**8 College Street Pedestrian Clearway Pilot Project**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**9 Study Approach for Environmental Issues Birchcliff Quarry Lands Study, File No. 03 180350 ESC 36 TM (32 Beaches - East York, 35 and 36 Scarborough Southwest)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**10 Other Items Considered by the Committee**

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

**Works Committee Report 7**

**1 Hogg’s Hollow Stormwater Management and Road Improvement Study**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**2 Contract 47003906 - Amendment of Blanket Contract for Ontrac Equipment Services Inc.**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**3 Request for Qualifications 9121-05-7134 - Planning Study for an Expanded Public SSO Processing System**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the City Manager be requested to report to the Policy and Finance Committee at the earliest opportunity on the way in which a ‘Bid Down’ RFP process works in the private sector and the cost and benefits of utilizing this process at the City of Toronto.”

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

**4 PM10 and PM2.5 Efficient Street Sweepers for the City of Toronto (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the Acting General Manager, Transportation Services, be requested to report to the Works Committee, six months after the street sweepers have been in place, on the effectiveness of such sweepers.”

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

**5 Reduction of Speed Limit on the Eastbound F. G. Gardiner Expressway Collector Lanes, from East of Royal York Road and Park Lawn Road (Ward 6, Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 Co-ordinated Street Furniture Program (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause in accordance with the following recommendations of the Planning and Transportation Committee contained in the Recommendations Section of the communication (June 27, 2005) from the Committee:

“The Planning and Transportation Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 15, 2005) from the Acting General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, subject to adding the following to:

(a) the Section of the report entitled ‘Current Initiatives and Activities’:

‘(ix) Postering Kiosk;’; and

(b) the section of the report entitled ‘Related Street Amenity Elements’:

‘(vii) Billboard Advertising and Clothing Drop Boxes’.”

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

Council also considered the following:

Communication:

- (June 27, 2005) from the Planning and Transportation Committee forwarding the recommendations from its meeting of June 27, 2005 [Communication 15(a)].

#### **7 Utility Cut Repair Issues - Roads and Sidewalks (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the City Solicitor be requested to report to the Works Committee on the feasibility of establishing a by-law that requires a timeframe for utility companies to do utility locates from the date requested by the City, with substantial penalties for failure to observe the mandated timeframe, such penalties to be either financial or expressed in terms of priority in the issuance of permits required by the utility company.”

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

#### **8 2005 Pedestrian Sundays in Kensington Market**

This Clause was ruled out of order at City Council on July 19, 20, 21 and 26, 2005.

Council also considered the following:

Communication:

- (July 18, 2005) from the City Clerk [Communication 24(a)].

#### **9 Municipal Access Agreement for Telecommunications Installations - Teraspan Networks Inc. (All Wards)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following Part (14) to the Summary of Key Terms, contained in the report (June 23, 2005) from the Acting General Manager, Transportation Services:

“(14) The company agrees to erect signage on each installation site, to a standard mandated by the City, notifying the public of the nature of the installation, and agrees to financial penalties for failure to observe this provision.”

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

**10 Drain Grant Appeal - 31 Manchester Avenue (Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**11 Drain Grant Appeal - 31 Chaplin Crescent (Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**12 Drain Grant Appeal - 56 Claxton Boulevard (Ward 21)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**13 Agreements with Sadr Investments Inc., the Regional Municipality of York and the City of Vaughan for the Extension of City Services to a Development at 5690 Steeles Avenue West**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That the agreements be reviewed by the Steeles Avenue Sub-Committee, and the Sub-Committee recommend a template agreement to the Works Committee for similar situations along Steeles Avenue.”

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

**14 Funding to the South Riverdale Environmental Liaison Committee**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**15 Indemnification and Settlement of Costs - 2272 Lakeshore Boulevard West**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (June 7, 2005) from the City Solicitor [Confidential Communication C.14(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) the City Solicitor be authorized to enter an Indemnity Agreement, in a form satisfactory to the City Solicitor in consultation with the Executive Director, Technical Services Division, indemnifying the City of Toronto in respect of any future cost or expenses resulting from hydrocarbon contamination caused by Petro-Canada at this location;
- (2) the City Solicitor be authorized to settle any outstanding costs with Petro-Canada based on a 50/50 split of those costs (the City’s share being \$7,074.74); and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect to these recommendations.”

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

City Council on July 19, 20, 21 and 26, 2005, referred Item (s), entitled “Idling Control By-law: Improving Enforcement” contained in this Clause, back to the Works Committee for further consideration.

The balance of this Clause was received for information.

## **Etobicoke York Community Council Report 6**

### **1 Final Report - Rezoning Application; Applicant: The Goldman Group, 347 Royal York Road (Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by deleting staff Recommendation (3) contained in the Recommendations Section of the report (June 20, 2005) from the Director, Community Planning, Etobicoke York District, and inserting instead the following:

“(3) the appropriate City officials be authorized to introduce the necessary Bills to City Council for enactment.”

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

**2 Final Report - Official Plan Amendment and Rezoning Application; Applicant: Princeway Investments 2 and 6 Royal York Road (Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by:

- (1) adding to the end of Recommendation (4) contained in the report (June 20, 2005) from the, Director, Community Planning, Etobicoke York District, the words “such contribution to be in the amount of \$700,00.00, to be allocated among Mimico Train Station relocation, public park improvements, community facilities, and public art, in the Mimico community, in consultation with the local Ward Councillor”, so that Recommendation (4) now reads as follows:

“(4) before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement under Section 37 of the *Planning Act*, providing public benefits in exchange for the increase in permitted height and density on the property, as set out in this report, such contribution to be in the amount of \$700,00.00, to be allocated among Mimico Train Station relocation, public park improvements, community facilities, and public art, in the Mimico community, in consultation with the local Ward Councillor; and”; and

- (2) adding the following:

“That the Director, Community Planning, Etobicoke York District report to the Etobicoke York Community Council on the final details of the Section 37 agreement prior to bringing forward the implementing Bills for adoption.”

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

**3 Final Report - Official Plan Amendment and Rezoning Application; Applicant: Monarch Construction Limited/Waterview Corporation 2115 - 2139 Lake Shore Boulevard West (Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by:

- (1) adding to Recommendation (1) of the Etobicoke York Community Council, the words “subject to amending the draft Zoning By-law so that the standards for height, and setbacks of the podia of future buildings be identical to the standards utilized for the podia of the buildings already built and approved on the “Central Site”, so that Recommendation (1) now reads as follows:

“(1) the staff recommendations in the Recommendations Section of the report (June 20, 2005) from the Director, Community Planning, Etobicoke York District, be adopted subject to amending the draft Zoning By-law so that the standards for height, and setbacks of the podia of future buildings be identical to the standards utilized for the podia of the buildings already built and approved on the ‘Central Site’; and”; and

- (2) adding to Part (g)(vii) of Section (23), headed “Section 37/Development Agreements”, contained in the report (June 20, 2005) from the Director, Community Planning, Etobicoke York District, the words “in consultation with the Ward Councillor”, so that Part (g)(vii) now reads as follows:

“(g)(vii) \$45,000.00 towards Mimico BIA Public Art, in consultation with the Ward Councillor”.

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

**4 Removal of One Privately Owned Tree - 9 Elderfield Crescent (Ward 3 - Etobicoke Centre)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**5 Removal of One Privately Owned Tree - 17 Albright Avenue (Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 Request for an Exemption to the Former City of Toronto Municipal Code, to Permit Front Yard Parking on 13 Mayfield Avenue (Ward 13 - Parkdale-High Park)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.



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- 7 Request for an Exemption to the Former City of Toronto Municipal Code to Permit Front Yard Parking on 629 Windermere Avenue (Ward 13 - Parkdale-High Park)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 8 Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code for a First Party Ground Pylon Sign at 1025 The Queensway (Ward 5 - Etobicoke-Lakeshore)**
- City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Clause to its next regular meeting on September 28, 2005.
- 9 Poll Results - One Way Operation Southbound on Gillespie Avenue between Davenport Road and Connolly Street (Ward 17 - Davenport)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 10 Proposed “No Parking Anytime” Prohibition on the South Side of Reading Court (Ward 2 - Etobicoke North)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 11 Reduction of Speed Limit from 50 km/h to 40 km/h on Hullen Crescent and on Topbank Drive (Ward 2 - Etobicoke North)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 12 Proposed Parking Prohibition Amendment in the Area of 495 The West Mall (Ward 3 - Etobicoke Centre)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 13 Adding and Amending the School Bus Loading Zones on Denfield Street (Ward 4 - Etobicoke Centre)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**14 Proposed Short Term Parking on Government Road and Prince Edward Drive in the Area of Lambton Kingsway Junior Middle School (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**15 Proposed Stopping Prohibition on Jutland Road (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**16 Proposed Installation of All-Way Stop Controls at the Intersection of Shawbridge Avenue and Bering Avenue and Shawbridge Avenue and Chauncey Avenue/Olivewood Road (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**17 Proposed Installation of All-way Stop Controls at the Intersection of Jopling Avenue North and Mattice Avenue (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**18 Traffic Assessment - Daniels Street and Moynes Avenue (Ward 5 - Etobicoke Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**19 Proposed Installation of Traffic Control Signals on Lake Shore Boulevard West at the F.G. Gardiner Expressway On/Off-Ramp/Brookers Lane (Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**20 Proposed Traffic Control Regulations in the Vicinity of the Intersection of the F.G. Gardiner Expressway Eastbound Off-Ramp and Legion Road North (Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**21 Cruise Motel Sign - Heritage Preservation Services (Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding to the end of Recommendation (3) contained the report (June 3, 2005) from the Director, Transportation Services, Etobicoke York District, the words “or, in consultation with the Ward Councillor, at another location closer to the site of the now demolished Cruise Motel”, so that Recommendation (3) now reads as follows:

“(3) the proposed sign is located to not interfere with the visibility, operation or maintenance of the traffic control signals at the Lake Shore Boulevard West/Park Lawn Road/ Marine Parade Drive intersection or, in consultation with the Ward Councillor, at another location closer to the site of the now demolished Cruise Motel.”

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

**22 Request for a “No Stopping Anytime” Regulation on Willard Avenue, East Side, South of Dundas Street (Ward 13 - Parkdale-High Park)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**23 Installation of “Stop” Control(s) - Intersection of Durie Street and Mayfield Avenue and Intersection of Ostend Avenue and Willard Avenue (Ward 13 - Parkdale-High Park)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**24 Installation and Maintenance of Event Trellises within the Public Right of Way on the High Park Avenue and Indian Grove Flanks of Dundas Street West (Wards 13 and 14 - Parkdale-High Park)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**25 Request for an Exemption to Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking on 76 Somerset Avenue (Ward 17 - Davenport)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**26 Supplementary Report - Aukland Developments Inc. 3 Aukland Road (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**27 Status and Directions Report - Ontario Municipal Board Appeals, Official Plan Amendment and Rezoning Application Applicant: Amexon Holdings Inc. and Menkes Lakeshore Ltd., 60-80 Park Lawn Road and 2200 Lake Shore Boulevard West (Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted the staff recommendations contained in the Recommendations Section of the confidential report (July 18, 2005) from the Director, Community Planning, Etobicoke York District. The following recommendations, together with Attachments 1, 2 and 3 are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege:

“It is recommended that:

- (1) City Council authorize the City Solicitor and appropriate staff to appear at the Ontario Municipal Board to oppose the Official Plan amendment and rezoning applications by Menkes Developments Ltd. and Amexon Holdings Inc. for mixed-use development at 2200 Lake Shore Boulevard West, and at 10 and 60-80 Park Lawn Road; and
- (2) City Council authorize the City Solicitor to retain appropriate outside consultants to appear at the Ontario Municipal Board in support of the City’s opposition to the applications.”

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

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Council also considered the following:

- Confidential report (July 18, 2005) from the Director, Community Planning, Etobicoke York District [Confidential Communication C.26(a)]. The above-noted staff recommendations contained in the Recommendations Section of the report, together with Attachments 1, 2 and 3 to the report, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege.

**28 Final Report - Part Lot Control Exemption Application Applicant: Michael Vaughan, Barrister and Solicitor 1968 Bloor Street West (Ward 13 - Parkdale-High Park)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**29 Request for Approval of Variance(s) from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for a Business Identification Illuminated Ground Sign at 1451 Royal York Road (Ward 2 - Etobicoke North)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**30 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for One Ground Sign and Three Fascia Signs (all First Party and Temporary) at 840 Queens Plate Drive (Ward 2 - Etobicoke North)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**31 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for “First Party Advertising Signs” at 500 Rexdale Boulevard (Woodbine Centre Mall) (Ward 2 - Etobicoke North)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**32 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for First Party Illuminated Fascia Signs for CIBC; Canopy Sign Band for Drive-Through; and Ground Signs at 1580 The Queensway (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**33 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for an Illuminated First Party, Side Wall Sign for a Restaurant located at 1255 The Queensway (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**34 Naming of Proposed Private Lane at 1100 Islington Avenue as “Furrow Lane” (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**35 Naming of Parkland at the end of Dee Avenue and Fairglen Court - “Crawford-Jones Memorial Park” (Ward 11 - York South-Weston)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**36 Naming of Proposed Public Streets and Private Street at 940, 980 and 1100 Lansdowne Avenue (Ward 17 - Davenport)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**37 Request to Remove One City Owned Tree 33 Mervyn Avenue (Ward 5 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**38 Designation of “Salsa Festival” as a Community Event (Ward 17 – Davenport)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

**North York Community Council Report 6**

**1 Draft By-law - To Permanently Close a Portion of the Leslie Street Road Allowance (Ward 24 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**2 Request for Fence Exemption - 346 Riverview Drive (Ward 25 - Don Valley West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**3 Encroachment Agreement - 499 Douglas Avenue (Ward 16 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**4 Request for Approval of Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a first party ground signs at 120 Norfinch Drive (Ward 8 - York West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**5 Inclusion on the City of Toronto Inventory of Heritage Properties - 510 - 520 Sutherland Drive (Kilgour Estate Gates and Gatehouse) (Ward 26 - Don Valley West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit driveway widening for a second parking space at 143 Castlefield Avenue (Ward 16 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**7 Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to permit residential boulevard parking for two vehicles on the Mount Pleasant Road flank of 153 Golfdale Road (Ward 25 - Don Valley West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**8 Community Safety Zone - Grandravine Drive (Ward 8 - York West and Ward 9 - York Centre)**

City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Clause to its next regular meeting on September 28, 2005.

**9 Two Way Centre Left Turn Lane/Lane Designations/ Parking Prohibitions - Marlee Avenue, Roselawn Avenue to Lawrence Avenue West (Ward 15 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**10 Traffic Control Restrictions - Tribute Homes Development - TB SUB 2002 0002 - Murray Ross Parkway and Sentinel Road (Ward 8 - York West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**11 Parking Prohibitions - Princess Avenue (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**12 Parking Prohibitions - James Gray Drive, Patina Drive and Rondeau Drive (Ward 24 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**13 School Bus Loading Zone - Yorkwoods Gate (Ward 8 - York West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**14 Amendment to the Payment-in-Lieu of Parking Requirement for 1940 Avenue Road (Ward 16 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**15 Outstanding Capital Repairs and Security Issues at Mel Lastman Square (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**16 Final Report - Part Lot Control Application - 05 116464 NNY 23 PL - Frank Reiss, Terraventure Group - Donald E. Roberts Ltd., Ontario Land Surveyors - 55 & 61 Drewry Avenue (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.



**17 Final Report - Extension of Part Lot Control Exemption - TB PLC 2002 0003 - 1379288 Ontario Limited - 4691 Bathurst Street, 500 Ellerslie Avenue, 47-51 Farrell Avenue (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**18 Site Plan Control Application - 05 109993 NNY 25 SA - 63 Wimpole Avenue (Ward 25 - Don Valley West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**19 Final Report - Removal of Holding (H) Symbol - 05 109109 NNY 34 OZ - English Lane Homes Inc. - 39 Green Belt Drive (Ward 34 - Don Valley East)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**20 Final Report - Rezoning Application - 04 120202 NNY 23 OZ - Site Plan Application - 04 120210 NNY 23 SA - Tas Design Build - Core Architects Inc. - 19 Churchill Avenue (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**21 Final Report - Zoning Amendment Application - 04 121839 NNY 23 OZ - Canadawide Development Corporation - Sherman Brown - Simon West, In House Designs - 9 & 11 Clairtrell Road (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**22 Encroachment Agreement Application - 1887 Avenue Road (Ward 16 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Clause to its next regular meeting on September 28, 2005.

**24 Payment-in-Lieu of Parking - Maurice Afriat Tortuga Holdings - Adam Brown, Brown Dryer Karol, Agent - 1677 Avenue Road (Ward 16 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**25 Traffic Management - Rosewell Avenue at Cheritan Avenue (Ward 16 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**26 Special Occasion Permit Request - Community Event - The Canadian Hispanic Day Parade - John Booth Arena (Ward 8 - York West)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by deleting the recommendation of the North York Community Council, and adopting instead the following:

“It is recommended that Council adopt:

- (1) the following first Operative Paragraph contained in the Resolution submitted by Councillor Li Preti, Ward 8 - York West:

‘**NOW THEREFORE BE IT RESOLVED THAT**, for liquor licensing purposes, City Council declare this to be an event of municipal and/or community significance, and that it has no objection to the event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.’; and

- (2) the following staff Recommendations (1) and (3) contained in the Recommendations Section of the supplementary report (July 15, 2005) from the General Manager, Parks, Forestry and Recreation:

‘It is recommended that:

- (1) the waiving of permit fees and any other direct costs that would be charged to the Canadian Hispanic Day Committee not be supported; and
  - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and
- (3) the following:

‘That the Director of Internal Audit be requested to review the costs tabulated in Appendices A, B and C of the report (July 15, 2005) from the General Manager, Parks, Forestry and Recreation, meet with the Canadian Hispanic Day Committee and appropriate City staff to determine whether there are outstanding balances, and report on this matter to the Economic Development and Parks Committee; and in the meantime, the Special Occasion Permit not be withheld because of outstanding balances.’ ”

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

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Council also considered the following:

- Report (July 15, 2005) from the General Manager, Parks, Forestry and Recreation Division [Communication 26(a)].

**27 Requests for Endorsement of Events for Liquor Licensing Purposes**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That City Council declare the following events to be of municipal and/or community significance:

- (1) the Salvadorean Cultural Association on Sunday, August 21, 2005, from 1:00 p.m. to 10:00 p.m. at Yorkgate Mall; and
- (2) the Hispanic Congress on Sunday, August 21, 2005, from 11:00 a.m. to 11:00 p.m. at Elm Park and Booth Arena.”

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

**28 Area Beautification - Lawrence Square and Lawrence Heights (Ward 15 – Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**29 Final Report - Part Lot Control Exemption Application - 05 107820 NNY 08 PL - Walker Nott Dragecivic Associates Limited - 4700 Keele Street (Ward 8 - York West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**30 Payment-in-Lieu of Parking - Committee of Adjustment Application - A0451/05NY - 20 Orfus Road (Ward 15 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**31 Payment-in-Lieu of Parking - Lawrence Plaza and Winners (Ward 15 - Eglinton-Lawrence)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**32 Ontario Municipal Board Hearing - Committee of Adjustment Application - B0024/05NY - 2 Park Lane Circle (Ward 25 - Don Valley West)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**33 Ontario Municipal Board Hearing - Committee of Adjustment Application - A0259/05NY - 64 Poyntz Avenue (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**34 Ontario Municipal Board Hearing - Committee of Adjustment Applications - 230 Horsham Avenue (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**35 Ontario Municipal Board Hearing - Committee of Adjustment Application - 51 Franklin Avenue (Ward 23 - Willowdale)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

**Scarborough Community Council Report 6****1 Sale of Surplus Property Part of Pitt Avenue (Closed) South Side of Donside Drive between Victoria Park Avenue and Maybourne Avenue (Ward 35 - Scarborough Southwest)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**2 Removal of Four Private Trees 308A Beechgrove Drive (Ward 44 - Scarborough East)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**3 Proposed Minor Street Stop Signs in the Agincourt Community (Ward 41 - Scarborough Rouge River)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**4 Proposed All-Way Stop Control on Galloway Road at Dearham Wood (Ward 43 - Scarborough East)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**5 All-Way Stop Controls on Friendship Avenue at Jaybell Grove (Ward 44 - Scarborough East)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 Final Report - Rezoning Application (Temporary Use) 03 182931 ESC 40 OZ, Coverall of Canada – 2969 Sheppard Avenue East, Sullivan Community (Ward 40 - Scarborough Agincourt)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**7 Final Report Rezoning Application 04 204958 ESC 44 OZ 1453351 Ontario Inc., Rear Portion of 22 Rozell Road and Block 66, Plan 66M-2399, Centennial Community (Ward 44 - Scarborough East)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**8 Final Report OPA & Rezoning Application 04 180325 ESC 44 OZ Draft Plan of Subdivision Application 04 180330 000 00 SB Havendale Holdings Inc., Ellesmere Road, West of Calverley Trail, Highland Creek Community (Ward 44 - Scarborough East)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**9 Policies re Insurance Requirements for Permits in Parks (Wards 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**10 Ontario Municipal Board Hearing 555 Brimorton Drive (Ward 38 - Scarborough Centre)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential report (June 21, 2005) from the City Solicitor [Confidential Communication C.15(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) the City Solicitor be authorized to settle the above-noted Ontario Municipal Board hearing on the terms set out in Appendix ‘1’ to this report;
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (3) a by-law be enacted to designate 555 Brimorton Drive as a Site Plan Control Area.”

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- Appendix “1” to the confidential report (June 21, 2005) from the City Solicitor which is now public in its entirety:

### Appendix "1" – Terms of Settlement

That the City of Toronto appear at the Ontario Municipal Board hearing currently scheduled for September 21–23, 2005, in support of amendments to the Official Plan and Zoning By-law to permit 9 additional dwelling units on the ground floor of an existing apartment building at 555 Brimorton Drive on the following conditions:

- (1) that, prior to issuance of an Order by the Ontario Municipal Board approving the Official Plan Amendment and Zoning By-law:
  - (a) the subject property shall be brought into full compliance with all Property Standards requirements, to the satisfaction of the Manager, Municipal Licensing and Standards; and
  - (b) the Owner shall be required to enter into a site plan agreement to secure the following improvements:
    - (i) the Owner shall provide two recreation rooms in the basement of the subject building, with a minimum total area of one hundred and ninety-five (195) square metres;
    - (ii) the Owner shall provide a new children's play area at the rear of the subject building with a minimum total area of two hundred and sixty-five (265) square metres, and constructed to the same or higher level of amenity as the existing children's play area and including the installation of a new play structure, sand box and swing set, or equivalent new play equipment, to the satisfaction of the Parks and Recreation Division;
    - (iii) the former child care centre playground near the front entrance shall be removed and the area landscaped to the satisfaction of the City; and
    - (iv) the Owner shall submit a storm water management report addressing drainage issues onto adjacent properties; and
- (2) that costs not be awarded against the City.

**11 Albert Campbell Square Safe, Fair and Equitable Use (Ward 38 – Scarborough Centre)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**12 Official Plan Amendment and Secondary Plan Milliken Main Street (Part of the Risebrough Planning District) Market Village and Pacific Mall Town of Markham**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

- Confidential communication (July 6, 2005) from the Scarborough Community Council [Confidential Communication C.16(a)]. This communication is now public, in its entirety, and contains the following recommendations:

“The Scarborough Community Council recommends that City Council adopt the following confidential recommendations pertaining to the Official Plan Amendment and Secondary Plan, Milliken Main Street (Part of the Risebrough Planning District), Town of Markham, forwarded to Members of Council under confidential cover; and in accordance with the *Municipal Act, 2001*, discussions be held in-camera as the subject matter deals with litigation or potential litigation:

- ‘(1) direct the City Solicitor to attend York Regional Council to make a deputation on behalf of the City of Toronto setting out the staff and Scarborough Community Council concerns when the Official Plan Amendment and Secondary Plan for Milliken Main Street (Part of the Risebrough Planning District) is considered by York Regional Council;
- (2) direct the City Solicitor and the Director of Planning, Scarborough District, to take the necessary action, including appealing the secondary plan to the Ontario Municipal Board if necessary, and report to Council on the application for the Risebrough Planning District if there are any issues that have to be addressed;



- (3) direct the City Solicitor and the Director of Planning, Scarborough District, to take appropriate action, if necessary, and report to Council on any application respecting Market Village and Pacific Mall as it impacts the City of Toronto; and
- (4) upon City Council approval, a copy of the recommendations be forwarded to the Steeles Avenue Sub-Committee.’ ”

**13 Renaming of Tam O’Shanter Park in Honour of Former Councillor Ron Watson**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**14 Ontario Municipal Board Appeal - 4 Colonial Avenue (Ward 36 – Scarborough Southwest)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**15 Animal Services City of Pickering and Town of Markham**

City Council on July 19, 20, 21 and 26, 2005, referred this Clause to the Medical Officer of Health for a report to the Board of Health for its meeting on September 26, 2005.

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Council also considered the following:

- Report (July 14, 2005) from the City Solicitor [Communication 19(a)].

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Communication:

- (July 18, 2005) from the City Clerk [Communication 19(b)].

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

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

## **Toronto and East York Community Council Report 6**

### **1 Final Report - Application to Amend the Rezoning By-law - 66-72 Redpath Avenue (St. Paul's, Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause in accordance with the following staff recommendation contained in the Recommendation Section of the supplementary report (July 13, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council amend Toronto and East York Community Council Report 6, Clause 1, by deleting Recommendation (3) [contained in the report (June 15, 2005) from the Director, Community Planning, South District] and replacing it with the following:

‘(3) require the applicant, prior to the issuance of a building permit, to enter into a Site Plan Agreement under Section 41 of the *Planning Act*;’.”

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

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Council also considered the following:

- (July 13, 2005) from the Chief Planner and Executive Director, City Planning [Communication 20(a)].

### **2 Final Report - Application to Amend the former City of Toronto Official Plan and Zoning By-law - 46 Wellesley Street East (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communications:

- (June 27, 2005) from Terry McCullum, Chief Executive Officer, LOFT Community Services [Communication 9(a)];
- (July 11, 2005) from Kent Staines, Church Isabella Residents Co-operative Inc., submitted by Councillor Kyle Rae, Ward 27, Toronto Centre-Rosedale [Communication 9(b)]; and
- (July 18, 2005) from Ian J. Lord, Weir Foulds, Barristers and Solicitors [Communication 9(c)].

**3 Final Report - Application to Amend the Official Plan and Zoning By-law - 2263 and 2265 Gerrard Street East (Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**4 Final Report - Application to Amend the Zoning By-law - 112-126 Kingston Road; 2110 Dundas Street East and Part of 15 and 17 Edgewood Avenue (Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**5 Amendments to Site Specific Zoning By-laws in the Fort York Neighbourhood - Fort York Neighbourhood Secondary Plan Area (Trinity-Spadina, Wards 19 and 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**6 Updated Final Report - Application for Draft Plan of Condominium – 17, 19, 21, 23 and 25 Lascelles Boulevard (St. Paul's, Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**7 Refusal Report - Application to Amend the Official Plan and Zoning By-law - 164 Avenue Road (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**8 Settlement Report - Official Plan Amendment and Rezoning Application - 230, 232, 234, 236, 238, 240, 242 and 244 Bloor Street West and 1 Bedford Road and Alterations to a Heritage Building and Authority to Enter into a Heritage Easement Agreement – 230 Bloor Street West (John Lyle Studio) (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted the staff recommendations contained in the Recommendations Section of the report (June 22, 2005) from the Director, Community Planning, South District [as contained in the Clause] and the report (June 30, 2005) from the Director, Community Planning, South District [appended to the Clause], as amended by the following staff recommendations contained in the Recommendations Section of the supplementary report (July 18, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

- (1) amend the report of the Director, Community Planning, South District, dated June 22, 2005, found as Report 6, Clause 8 on its agenda of July 19 - 21, 2005, by replacing Recommendation (2)(ii) and Condition No. 3 of Attachment 15: Settlement Requirements and inserting the following replacements;
  - (2)(ii) the owner shall provide payment to the City in the sum of \$1.795 million for the following items: Taddle Creek Parkette, relocation and restoration John Lyle Studio façade, Annex Heritage Study, consultant funding for the Annex Visioning Study and Public Art; all prior to the first above grade building permit excepting \$370,000.00 at the time of the OMB issuing its first order approving the Zoning By-law;
- (3) Provide Public Benefits with a total value of 1.795 million under Section 37 of the *Planning Act* to include:
  - 1 million for enhancement of landscaping and park equipment for Taddle Creek Parkette, with \$100,000.00 for planning the park improvements at the time of the OMB issuing its first order approving the Zoning By-law;.
  - \$500,000.00 for the relocation and restoration of the John Lyle Studio façade to the proposed south wall of the proposed courtyard on Bedford Road;
  - \$200,000.00 maximum to be provided to the City of Toronto, at the time of the OMB issuing its first order approving the Zoning By-law, for professional consulting services required in preparation of a Heritage Conservation District Plan or Plans for a study area or areas within the Annex community. Such funds are to be forwarded by the City to the Annex Residents Association to engage the consultants and oversee the study. Funds will be forwarded upon the Manager of Heritage Preservation Services being satisfied by the Annex Residents Association that the projected costs and consultants work plans are reasonable. Study areas are to be designated by Council prior to the engagement of professional consultants and resulting District Plan(s) must be to the satisfaction

- of the Manager of Heritage Preservation Services. Any residual dollar amounts remaining after completion of the study are to be deposited to the Toronto Heritage Grant Reserve Fund;
- \$70,000.00 for consultant fees for a Annex Visioning Study to be paid to the City at the time of the OMB issuing its first order approving the Zoning By-law; and
  - \$25,000.00 for Public Art;'
- (2) amend the report of the Director, Community Planning, South District, dated June 30, 2005 by amending Recommendation (2) to eliminate clause (iii);
- (3) direct the Director, Community Planning, South District to report to the November 15, 2005 Toronto and East York Community Council meeting on Terms of Reference for a Visioning Study for Bloor Street West between Avenue Road and Christie;
- (4) direct the Director, Community Planning, South District in consultation with the Director of Property and Real Estate and the City Solicitor, to report to the September 19, 2005 Toronto and East York Community Council meeting respecting the use of the Intercontinental Hotel's service easement over City-owned land for the purpose of exiting Hotel valet parked cars; and
- (5) amend the report of the Director, Community Planning, South District dated June 22, 2005, by adding three additional conditions to Attachment 15: Settlement Requirements:
- submit a revised plan for the 8th floor roof to include landscaping to screen views to the Intercontinental Hotel to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with representatives of the Hotel;
  - submit a revised Streetscape Plan for the Bloor Street West frontage showing 4 street trees in boxes satisfactory to Chief Planner and Executive Director, City Planning, and the Director of Urban Forestry; and
  - submit a revised east elevation, along the existing walkway providing a greater level of architectural and material detail to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with representatives of the Intercontinental Hotel."

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

Council also considered the following:

- Report (July 18, 2005) from the Chief Planner and Executive Director, City Planning [Communication 31(b)]; and
- Report (June 30, 2005) from the Director, Community Planning, South District [Communication 31(c)], which contained the following staff recommendations:

“It is recommended that:

- (1) Community Council amend the report of the Director, Community Planning, South District, dated June 22, 2005, found at Item 12 on its agenda of July 5, 2005, by replacing Recommendations (1), (3) and (5) of the report and inserting the following replacement recommendations:
  - (1) authorize the City Solicitor and necessary staff to attend at the Ontario Municipal Board (the “OMB”) hearing set for these matters in support of the modified amendments to the Official Plan and Zoning By-law appealed to the OMB and the site plan referred to the OMB, all as outlined in this report (including Attachment 15) in respect of the revised proposal for 1 Bedford Road and 230 - 244 Bloor Street West;
  - (3) request the OMB to impose such conditions upon the approval of the site plans and drawings as City Staff advise are appropriate and request the OMB to withhold its order approving the Official Plan Amendment, Zoning By-law Amendment and Site Plan until the owner has entered into: an agreement under Section 37 of the Planning Act; a Site Plan Agreement pursuant to Section 41 of the *Planning Act*; and a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act*;
  - (5) authorize the passage of a by-law for the entering into of a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the owner 230 – 244 Bloor Street West and 1 Bedford

Road, using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services;’ and

- (2) Community Council amend Item 12 on its July 5, 2005 agenda by:
- (i) removing the word “not” from line 3 of the Site Plan Control section of the report on page 7, thereby indicating that the Site Plan Application has been appealed to the Ontario Municipal Board;
  - (ii) adding to Attachment 15: Settlement Requirements, Section 2 on page 31, as a condition of settlement the owner shall ensure that the 9th and 10th tower floors not exceed 930 m<sup>2</sup>; and
  - (iii) replacing the last line of Section 3, page 32 in Attachment 15: Settlement Requirements, with the following: “public art with a value of 1 percent of gross construction costs”.’ ”

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Communication:

- (July 18, 2005) from Stephen H. Diamond, McCarthy Tétrault LLP [Communication 31(a)].

**9 Toronto Urban Design Guidelines - St. Lawrence Neighbourhood Focused Area (Toronto Centre-Rosedale, Ward 28)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**10 Status Report - South of Eastern Study - 629, 633 and 675 Eastern Avenue (Toronto-Danforth, Ward 30)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

**Communications:**

- (undated) from John Karmouche [Communication 10(a)];
- (July 19, 2005) from Linda Lynch [Communication 10(b)];
- (July 19, 2005) from Sharon Howarth [Communication 10(c)];
- (July 19, 2005) from Terri-Lynn Leeking [Communication 10(d)];
- (July 19, 2005) from Linda Lynch [Communication 37(b)] enclosing a binder of materials; and
- (undated) cover letter forwarding the following [Communication 37(c)]:
  - (July 20, 2005) from D. Jim Mirkopoulos, Vice President, Cinespace Film Studios;
  - (July 5, 2005) from Steve Mirkopoulos, President, Cinespace Film Studios, Peter Lukas, President, Showline Studios, and Lillyann Goldstein, President Wallace Studios, on behalf of the Ontario Film and Television Studio Owners Association;
  - (July 6, 2005) from Don Carmody, Producer;
  - (July 6, 2005) from John Eckert;
  - (July 5, 2005) from Christopher J. Danton;
  - (July 4, 2005) from Marty Dejcak, Location Manager, Dejcak Productions Inc.;
  - (July 5, 2005) from John Karmouche;
  - (July 5, 2005) Tyler J. Curtis;
  - (April 17, 2005) from the Ontario Film and Television Studio Owners Association; and
  - (July 18, 2005) Playback Trade Publication Article, entitled “Evictions for T.O. Service Companies”.

**11 Refusal Report - Rezoning Application - 80 Queensdale Avenue (St. Aloysius School) (Toronto-Danforth, Ward 29)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

**Communications:**

- (undated) from A. Erdmanis [Communication 11(a)];



- (June 16, 2005) from Jack Layton, MP Toronto-Danforth and Marilyn Churley, MPP Toronto-Danforth [Communication 11(b)]; and
- (July 18, 2005) from Robert A. Dragicevic, Senior Principal, Walker, Nott, Dragicevic Associates Limited [Communication 11(c)].

**12 Alterations to a Designated Heritage Property - 1601 Lake Shore Boulevard West (Palais Royale Ballroom) (Parkdale-High Park, Ward 14)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**13 Inclusion of Three Properties on the City of Toronto Inventory of Heritage Properties - Garrison Common North Area Study - 107 Atlantic Avenue; 7 Fraser Avenue and 89 Niagara Street (Parkdale-High Park, Ward 14 and Trinity-Spadina, Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by referring the following Part (a) of Recommendation (1) of the Toronto and East York Community Council, back to the Toronto and East York Community Council for further consideration at its meeting on September 19, 2005:

“(a) 107 Atlantic Avenue (Bradshaw and Company Factory);”.

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

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Council also considered the following:

Communication:

- (July 5, 2005) from Michael Graber, Property Manager, 2034630 Ontario Inc. [Communication 12(a)].

**14 Inclusion on the City of Toronto Inventory of Heritage Properties - 224 Wallace Avenue (CGE Ward Street Works) (Davenport, Ward 18)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**15 Alterations to a Heritage Building and Authority to Enter into a Heritage Easement Agreement - 10 Prince Arthur Avenue (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**16 Alterations to a Heritage Building and Request for Authority to Enter into a Heritage Easement Agreement and Approval of Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 275-277 Yonge Street (John Bugg Stores) (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**17 Alterations to a Designated Property - 8 St. Joseph Street (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**18 Alterations to a Designated Property - 531 Parliament Street (Winchester Hotel and Winchester Hall) (Toronto Centre-Rosedale, Ward 28)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communication:

- (July 6, 2005) from Professor Yvonne Singer, Director, Graduate Program Visual Arts, York University [Communication 13(a)].

**19 Authority to Enter into a Heritage Easement Agreement and Alterations to a Heritage Property – 646 Broadview Avenue (Robert Powell House) (Toronto-Danforth, Ward 30)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**20 Request for Approval of a Variance to Chapter 297, Signs, of the former City of Toronto Municipal Code - 90 Shuter Street (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by amending the recommendation of the Toronto and East York Community Council so that it now reads as follows:

“The Toronto and East York Community Council recommends that City Council approve the request for a variance to permit a fascia sign for third party advertising purposes, on the north elevation of the 11-storey building at 90 Shuter Street, on condition that the sign be non-illuminated. “

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

**21 Residential Demolition Application - 169 John Street (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**22 Residential Demolition Application - 423, 425 and 427 Mount Pleasant Road (St. Paul's, Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**23 Request for Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening for a Second Vehicle – 224 Silver Birch Avenue (Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**24 Exemption from Chapter 400 of the former City of Toronto Municipal Code to permit Front Yard Parking for a second vehicle at 40 Hambly Avenue (Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**25 Request for a Fence Exemption - 14B Bingham Avenue (Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**26 Maintenance of a Wooden Fence - 124 Kilbarry Road and on the Dunloe Road Flank (St. Paul's, Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**27 Maintenance of a Decorative Wrought Iron Fence together with Gates and Stone Pillars 358 Russell Hill Road (St. Paul's, Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**28 Maintenance of a Wooden Fence - Withrow Avenue flank of 466 Pape Avenue (Toronto-Danforth, Ward 30)**

City Council on July 19, 20, 21 and 26, 2005, adopted the staff recommendations contained in the Recommendations Section of the report (June 17, 2005) from the Manager, Right of Way Management, Transportation Services, Toronto and East York District [as contained in the Clause].

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

**29 Boulevard Cafe - This Month Only Bar - 1540 Dupont Street (Davenport, Ward 18)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**30 Boulevard Cafe - Beaconsfield Lounge 1154 Queen Street West (Davenport, Ward 18)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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Council also considered the following:

Communication:

- (undated) from Misha Glouberman [Communication 14(a)].

**31 Boulevard Cafe - The Londoner's Pub and Grill 496-500 Bloor Street West (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**32 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 40 Wabash Avenue (Parkdale-High Park, Ward 14)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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- 33 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code – 400 King Street West (Trinity-Spadina, Ward 20)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 34 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code – 95 St. Clair Avenue West (St. Paul’s, Ward 22)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 35 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 1 Deer Park Crescent (St. Paul’s, Ward 22)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 36 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 22 St. Clair Avenue East (St. Paul’s, Ward 22)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 37 Variance from Chapter 64-87, Signs, of the former Borough of East York Municipal Code - 951 Carlaw Avenue (Toronto-Danforth, Ward 29)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 38 Approval under the Cemeteries Act (Revised) to Permit the Construction of a Private-family Mausoleum within Mount Pleasant Cemetery - 375 Mount Pleasant Road (St. Paul’s, Ward 22)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.
- 39 Installation of a Sidewalk - Jameson Avenue, between Springhurst Avenue and Lake Shore Boulevard West (Parkdale-High Park, Ward 14)**
- City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**40 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Parkdale-High Park, Ward 14; Davenport, Ward 18; Trinity-Spadina, Ward 19; Toronto-Danforth, Ward 30; and Beaches-East York, Ward 31)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**41 Temporary Adjustments to Existing Traffic/Parking Regulations on Streets in the Vicinity of Exhibition Place – Annual Caribana and Canadian National Exhibition (Parkdale-High Park, Ward 14; Davenport, Ward 18 and Trinity-Spadina, Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**42 Prohibition of Heavy Vehicles - Wallace Avenue (Davenport, Ward 18)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**43 Request to Exempt Bicycles from Turn Prohibitions - Dundas Street West and its Intersections with Shaw Street and Crawford Street (Trinity-Spadina, Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**44 Reversal of One-Way Traffic Operations - Croft Street, between College Street and Vankoughnet Street (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**45 Proposed Intersection Re-alignment - Winona Drive and Vaughan Road (St. Paul's, Ward 21)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**46 Installation of Northbound “Stop” Signs - Intersections of Moore Avenue and Clifton Road and Moore Avenue and Cornish Road (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**47 Amendment to Parking Controls - Mutual Street, between Wood Street and Alexander Street (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**48 Rescission of Alternate Side Parking Regulations - Brookside Drive, between Gerrard Street East and the north end of Brookside Drive (Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**49 Proposed Construction Staging Area - 299 Queen Street West (CHUM City Building) - John Street, between Richmond Street West and Queen Street West (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by deleting from staff Recommendation (1) contained in the report (June 20, 2005) from the Director, Transportation Services, Toronto and East York District, the words “for a period of approximately six months”, and inserting instead the words “from July 1, 2005 to December 31, 2005”, so that Recommendation (1) now reads as follows:

“(1) in order to facilitate exterior renovation of a five-storey commercial building at the site municipally known as Premises No. 299 Queen Street West, the curb lane and sidewalk on the east side of John Street, between Richmond Street West and Queen Street West, as shown on the attached print of Drawing No. 421F-7920, dated June 2005, be closed to traffic in order to establish a construction staging area from July 1, 2005 to December 31, 2005;”.

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

**50 Installation and Maintenance of a Glycol Heating System - 145 Warren Road and on the Heath Street West Flank (St. Paul's, Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**51 Maintenance of a Glycol Heating System - 147 Warren Road (St. Paul's, Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**52 Malibu Public Art Program - 600 Fleet Street (Trinity-Spadina, Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**53 Sale of Surplus Portion of the Unnamed Highway Abutting the West Limit - 78 Manor Road East (St. Paul's, Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**54 Sale of Part of the Halton Street Road Allowance (Trinity-Spadina, Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**55 Sale of Surplus City-owned Closed Lane - 49 Connaught Avenue (Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**56 Temporary Road Occupation to Accommodate Construction Staging Area on Mutual Street Flankage - 76 Shuter Street (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by amending the staff recommendations in the Recommendations Section of the report (June 16, 2005) from the Director, Transportation Services, Toronto and East York District, by:

- (1) deleting from Recommendation (1) the words "for a period of twenty months" and inserting instead the words "from August 1, 2005 to March 31, 2007, inclusive", so that Recommendation (1) now reads as follows:

"(1) in order to facilitate construction of a 15-storey condominium at a site on the north-west corner of Shuter Street and Mutual Street, the sidewalk on the west side of Mutual Street, between a point 9.0 metres north of Shuter Street and a point 29.0 metres further north, be closed to pedestrian traffic from August 1, 2005 to March 31, 2007 inclusive;"



- (2) deleting from Recommendation (2) the words “a point 44.0 metres north of Shuter Street, be rescinded permanently” and inserting instead the words “Dundas Street East, be rescinded”, so that Recommendation (2) now reads as follows:

“(2) the existing maximum 60-minute parking regulation from 8:00 a.m. to 6:00 p.m. on the east side of Mutual Street, from Shuter Street to Dundas Street East, be rescinded;”;

- (3) inserting at the end of Recommendation (7) the words “except for the 60-minute parking regulation mentioned in Recommendation (2)”, so that it now reads as follows:

“(7) upon completion of this project, Mutual Street revert to its pre-construction traffic and parking operation except for the 60-minute parking regulation mentioned in Recommendation (2); and;”.

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

**57 Removal of Temporary Road Occupation to Accommodate Construction Staging Area - 54 Berkeley Street and 359 King Street East (Toronto Centre-Rosedale, Ward 28)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**58 Installation and Maintenance of Event Trellises within the Public Right of Way - High Park Avenue and Indian Grove Flanks of Dundas Street West (Parkdale-High Park, Wards 13 and 14)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**59 Naming of Private Street Located between 480 and 500 Queens Quay West (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**60 Naming of a New Park in the Niagara Neighbourhood (Trinity-Spadina, Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**61 Naming of the Johnny Lombardi Memorial to the “Piazza Johnny Lombardi” (Trinity-Spadina, Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**62 Use of Nathan Phillips Square: Procter and Gamble’s “Leaps and Bounds for the United Way”, September 11, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**63 Use of Nathan Phillips Square - “City Hall 40th Anniversary”, September 13, 15, 16 and 17, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**64 Use of Nathan Phillips Square: Juvenile Diabetes Research Foundation’s “Ride For Diabetes Research”, September 23, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**65 Use of Nathan Phillips Square: Canadian Breast Cancer Foundation’s “CIBC Run for the Cure”, October 2, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**66 Use of Nathan Phillips Square: SalvAide’s “Walking Together - Walkathon”, October 15, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**67 Requests for Endorsement of Events for Liquor Licensing Purposes (Trinity-Spadina, Wards 19 and 20; Toronto Centre-Rosedale, Ward 28 and Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by amending the Recommendations of the Toronto and East York Community Council by:

(1) amending Part (c) of Recommendation (1) by revising the request for extension times for the following restaurants from 11:00 a.m. to 9:00 p.m. on Saturday, September 10, 2005 and 11:00 a.m. to 6:00 p.m. on Sunday, September 11, 2005, to 11:00 a.m. to 11:00 p.m. on Saturday, September 10, 2005 and 11:00 a.m. to 9:00 p.m. on Sunday, September 12, 2005:

- Johnny G's, 488 Parliament Street;
- Cabbagepatch Pub & Restaurant, 488-490 Parliament Street;
- Pear Tree, 507 Parliament Street;
- Big Mamma's Boy, 554 Parliament Street;
- Timothy's Tikka House, 556 Parliament Street;
- Attitude Bar & Fine Fare, 580 Parliament Street; and
- Cranberries Bar and Grill, 601 Parliament Street;

(2) amending Part (d) of Recommendation (1) so that it now reads as follows

“(d) Fiera 2005, taking place on August 26, 2005 from 7:00 p.m. to 12:00 midnight, and August 27, 2005 from 12:00 noon to 12:00 midnight on College Street between Shaw Street and Euclid Avenue, and advise the Alcohol and Gaming Commission that it has no objection to the following restaurants being granted an extension of their liquor licences to permit the sale and serving of alcohol on their patios to 12:00 midnight for the duration of this event:

- Il Gatto Nero – 720 College Street;
- Alto Basso – 718 College Street;
- Sicilian Sidewalk Café – 710 College Street;
- Bella Vista – 660 College Street;
- Li'ly – 656 College Street;
- Golden Wheat Bakery and Pastry – 652 College Street;
- Veni Vidi Vici – 650 College Street;
- Eat My Martini – 648 College Street;
- Bruyea Bothers Restaurant – 640 College Street;
- Urban Thai – 638 College Street;
- Souz Dal – 636 College Street;
- Cupps Coffee House – 622 College Street;
- Sutra Lounge – 612 College Street;
- Coco Lezzone – 602 College Street;
- Tempo – 596 College Street;
- L'Angolino – 50 Clinton Street;
- Café Diplomatico – 594 College Street;
- Sintra Wine Bar and Grill – 588 College Street;
- Utopia – 586 College Street;
- Brasserie Aix – 584 College Street;

- Bar Italia – 582 College Street;
- Orbit – 580 College Street;
- Riviera Bakery – 576 College Street;
- Marlowe – 558 College Street;
- Motoretta – 554 College Street;
- The Midtown – 552 College Street;
- Revival – 783 College Street;
- Viseau Restaurant – 705 College Street;
- Pizza Nova – 703 College Street;
- Sushi Bon, 695 College Street;
- Tavola Calda – 671 College Street;
- Tilt Lounge – 669 College Street;
- Standard Club – 667 College Street;
- Vivoli – 665 College Street;
- Mona’s Shawarma Falafel and Vegetables–661 College Street;
- The Fish Store – 657 College Street;
- La Porta Aperta – 651 College Street;
- Sammy Joe’s / Scarfos – 647 College Street;
- Giovanna Trattoria/Pizzeria – 637 College Street;
- Ichiban Sushi – 635 College Street;
- Zumo Juice Bar/The Pita Place – 619 College Street;
- La Forchetta Ristorante – 613 College Street;
- Wild Indigo – 607 College Street;
- Udeal Hotels and Restaurant Supplies – 599 College Street;
- Capital Trattoria – 597 College Street;
- Trattoria Giancarlo;
- Sotto Voce – 595 College Street;
- Animal Kingdom for Kids – 593 College Street;
- John’s Classic Pizza – 591 College Street;
- Temptation – 589 College Street;
- Butt’rn – 587 College Street;
- Southside Loue’s – 583 College Street;
- Joya Gourmet Grille & Wine Bar - 577 College Street;
- Liquids Lounge – 577a College Street;
- Ted’s Collision and Repair Dining Room - 573 College Street;
- Sushi Island – 571 College Street;
- Paaeez – 569 College Street;
- Sensual Café Lounge – 565 College Street;
- Shallow Groove – 559 College Street;
- Perla Restaurant – 539 College Street;
- El Bodegon – 537 College Street;
- The Mod Club – 722 College Street;
- Beba – 624 College Street;
- Sutra – 626 College Street;
- Bo Diana’s Burgers – 628 College Street;

- Vecchio Frak – 692 College Street; and
  - Ichibon Sushi, 635 College Street;
- (3) adding the following Parts (f) to (j) to Recommendation (1):
- “(f) Argo Streets Fests, taking place on Monday, August 1, 2005, Saturday, September 10, 2005 and Monday, October 10, 2005 on Bremner Boulevard;
  - (g) SummerWorks Theatre Festival, taking place on August 4 to 14, 2005, and advise the Ontario Alcohol and Gaming Commission that it has no objection to the Factory Theatre, 125 Bathurst Street being granted a temporary liquor licence extension to encompass the outdoor courtyard in conjunction with this event;
  - (h) the 2nd Annual Church Street Fetish Fair taking place on Sunday, August 21, 2005 from 12:00 noon until 10:00 p.m. and advise the Alcohol and Gaming Commission of Ontario that it has no objection to the request of the Church-Wellesley Village BIA to extend the service boundaries to the sidewalk of all licensed establishments within the Church-Wellesley Village BIA for the duration of this event; and
  - (i) ‘Ear to the Ground’ taking place on Friday, September 16, 2005 from 5:00 p.m. to 11:00 p.m., Saturday, September 17, 2005 from 11:00 a.m. to 11:00 p.m., and Sunday, September 18, 2005 from 1:00 p.m. to 8:00 p.m. at Exhibition Place at the Bandshell, Centennial Square and the Better Living Centre; and
  - (j) Royal Agricultural Winter Fair taking place on November 2, 2005 to November 13, 2005, at The National Trade Centre, Exhibition Place; and
- (4) adding the following new Recommendations (3) and (4):
- “(3) advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following:
    - (i) the change in date for Caribana 2005 now to held on Saturday, July 30, 2005 at Exhibition Place, and indicate that it has no objection to this change in date;
    - (ii) Kabin Music Lounge, 214-216 Adelaide Street West being permitted to sell and serve alcohol on an outside area of their facility from 8.00 p.m. to 2.00 a.m. for the duration of the Caribana weekend from Friday, July 29 to Sunday, July 31, 2005; and

- (iii) Ontario Steelpan Association being permitted to sell and serve alcohol at its Pan Alive event on Friday, July 29, 2005 at Lamport Stadium, 1155 King Street West, from 7:00 p.m. to 12:00 midnight; and
- (4) declare the 30th Toronto International Film Festival taking place at various locations from September 8, 2005, to September 17, 2005, inclusive, to be an event of international, national and municipal significance and indicate that it has no objection to its taking place; nor to the granting of an extension of operating hours until 4:00 a.m. of the following establishments for the duration of the event:
  - Rosewater, 19 Toronto Street;
  - The Drake Hotel, 1150 Queen Street West;
  - Flow Restaurant and Lounge, 133 Yorkville Avenue; and
  - Monsoon Restaurant, 100 Simcoe Street.”

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

**68 Road Alterations and Traffic Regulations for the St. Clair Avenue West Transit Improvement Project – St. Clair Avenue West, between Yonge Street and Tweedsmuir Avenue (St. Paul’s, Ward 21 and Ward 22)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**69 Ontario Municipal Board Hearing – 16 and 18 Silver Birch Avenue (Beaches-East York, Ward 32)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**70 Prohibition of Parking - Crawford Street, west side, Opposite the Lane between 227 and 229 (Trinity-Spadina, Ward 19)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**71 Implementation of a No Stopping Prohibition – Dovercourt Road and Heydon Park Road (Davenport, Ward 18)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**72 Supplementary Report – Rezoning Application, 730 Dovercourt Road (Davenport, Ward 18)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by adding the following:

“That City Council adopt the following staff recommendation contained in the Recommendation Section of the supplementary report (July 21, 2005) from the Chief Planner and Executive Director, City Planning:

‘It is recommended that Council confirm its instructions that the City Solicitor oppose the revised applications at the Ontario Municipal Board hearing now scheduled to commence on September 20, 2005, based on the principles set out in the January 24, 2005, and June 29, 2005, reports of the Director, Community Planning, South District as modified by Attachment 1 to the report of the Director, Community Planning, South District dated July 21, 2005.’ ”

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

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Council also considered the following:

- Report (July 21, 2005) from the Chief Planner and Executive Director, City Planning [Communication 40(a)].

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Councillor Giambrone declared an interest in this Clause, in that his parents own property in the immediate vicinity.

**73 Info Pillar Signage - Site Specific Exemption from Chapter 297, Signs, of the former City of Toronto Municipal Code and Metro By-laws 118 and 211-79 (St. Paul’s, Ward 22 and Toronto-Danforth, Ward 29)**

City Council on July 19, 20, 21 and 26, 2005, amended this Clause by referring the ground sign proposed for the Yonge Lawton Parkette back to the Toronto and East York Community Council, to allow the Ward Councillor to consult with local residents.

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

**74 Further Report - Wellesley Central Health Corporation - 146-160 Wellesley Street East (Toronto Centre-Rosedale, Ward 27)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**75 Replacement of Street Ad Locations (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted the following staff recommendations contained in the Recommendations Section of the supplementary report (July 15, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

- (1) City Council approve this application and exempt the proposed replacement of 24 illuminated pedestal signs, for third party advertising purposes, with newly designed illuminated pedestal signs from Chapter 297 of the former City of Toronto Municipal Code; and
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Chief Building Official.”,

subject to allowing and permitting the necessary approvals for replacing the old “Street Ad”, with the newly designed “Street Ad” on the following existing eleven (11) locations in Ward 27 (Toronto Centre-Rosedale):

- 572 Church Street;
- 70 Edward Street;
- Bay and Edward Streets;
- 770 Bay Street;
- Dundas Street East and Bond Street;
- Dundas Street East and George Street north side;
- Dundas Street East and George Street south side;
- Queen Street East and Dalbousie Street – northeast corner;
- Queen Street East and Mutual Street – northwest corner;
- Shuter Street and Dalhousie Street;
- Shuter Street and Mutual Street – southwest corner.

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

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Council also considered the following:



- Report (July 15, 2005) from the Chief Planner and Executive Director, City Planning [Communication 29(a)].

**76 Application for New Liquor Licence - 245 Queen's Quay West (Trinity-Spadina, Ward 20)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

**77 Section 37, Ontario Municipal Board Hearing – Subleasing of Space to the South Asian Women's Centre - 800 Lansdowne Avenue at Dupont Street (Davenport, Ward 18)**

City Council on July 19, 20, 21 and 26, 2005, adopted this Clause without amendment.

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

City Council on July 19, 20, 21 and 26, 2005, received this Clause, for information.

**Enquiry and Answer**

**Enquiry from Councillor Walker Regarding the City's Tsunami Relief Effort**

City Council on July 19, 20, 21 and 26, 2005, received the following:

- (1) (July 5, 2005) Enquiry from Councillor Michael Walker; and
- (2) (July 14, 2005) Answer from Mayor David Miller.

**Notices of Motions**

**I(1) Regulating Payday Lending Businesses**

*Moved by Councillor Giambrone, seconded by Councillor Fletcher*

**“WHEREAS** there has been a proliferation of unregulated payday lending businesses in the City of Toronto; and

**WHEREAS** the Criminal Code of Canada defines the criminal rate as anything exceeding 60 percent in annual effective interest; and

**WHEREAS** research shows that payday lenders typically charge between 300 and 900 percent interest; and

**WHEREAS** there are presently no federal or provincial regulations that govern payday lenders in much of the country, including in the Province of Ontario; and

**WHEREAS** Toronto residents want and need access to small-sum, short-serviced loans at a fair price;

**NOW THEREFORE BE IT RESOLVED THAT** staff report back to the Planning and Transportation Committee as soon as possible with policy options to manage payday lending businesses; issues to be considered as part of the report back to include, but are not limited to:

- (1) the number and location of existing payday lending businesses in the City of Toronto;
- (2) recommendations for Council policy to guide future land use decisions regarding pay day lending businesses;
- (3) recommendations for Council policy to regulate payday lending businesses; and
- (4) recommendations on steps the City can take to encourage existing lending institutions to provide low income people with better access to lending services;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto urge the provincial and federal governments to develop and enforce regulations for this industry and that such regulations consider the regulatory framework put forward by the national non-profit organization, Acorn Canada.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

**I(2) Request for Additional Municipal Licensing and Standards Officer(s)**

*Moved by Councillor Mammoliti, seconded by Councillor Moscoe*

“**WHEREAS** the Municipal Licensing and Standards Division’s mission is ‘to enhance the quality of life in the City of Toronto by ensuring public safety, community integrity, consumer protection, and responsible business activities’; and

**WHEREAS** Municipal Licensing and Standards Officers predominantly enforce the following by-laws: Fences, Grass and Weeds, Heating, Business and Trades Licensing, including taxis and other mobile businesses, holistics, adult entertainment premises, Property Maintenance, Property Standards, Abandoned Appliances, Signs, Licensing, Vital Services, Zoning, Solid Waste and Waste Diversion, Litter and Graffiti; and

**WHEREAS** Municipal Licensing and Standards has a total of 221 officers, including the Districts, Clean City, Taxi, Waste, Trades and Right-of-Way; and

**WHEREAS** in 2004, the Municipal Licensing and Standards Division had a district-wide total of 36,323 investigation requests, 19,539 complaints and 46,092 inspections; and

**WHEREAS** the Municipal Licensing and Standards Division, for 2005, had a district-wide total of 14,394 investigation requests, 8,332 complaints and 14,227 inspections; and

**WHEREAS** the Mobile Enforcement Unit, for 2004, had a district-wide total of 33,980 inspections on all classes; 5,303 summons were issued; 851 Notices of Violation were issued; and 1,966 complaints were received; and

**WHEREAS** the Mobile Enforcement Unit, for 2005, had a district-wide total of 10,234 inspections on all classes; 907 summonses were issued; 473 Notices of Violation were issued; and 718 complaints were received; and

**WHEREAS** the Division faces enforcement priorities relating to Marijuana Grow House operations, Holistics, Mobile Signs and Building Audits; and

**WHEREAS** it is clearly seen that the Division is highly under staffed;

**NOW THEREFORE BE IT RESOLVED THAT** City Council endorse a recommendation to the Budget Advisory Committee to hire 44 new Municipal Licensing and Standards Officers in 2006 that would be assigned equally across the City's 44 wards."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, referred this Motion to the Policy and Finance Committee.***

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Council also considered the following:

- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(1) The Seizure of Motor Vehicles Involved in Prostitution Related Offences**  
*Moved by Councillor Nunziata, seconded by Councillor Thompson*

**“WHEREAS** repeated studies have established a strong and positive correlation between increased incidents of prostitution and drug use, which in turn leads to the attraction of drug users in neighbourhoods; and

**WHEREAS** there has been a litany of complaints about the effects of street prostitution on residential neighborhoods including noise, traffic congestion, litter including condoms and needles, and the harassment of residents; and

**WHEREAS** the increase in prostitution and drug related activities has had negative impacts on communities and has become of great concern to various neighbourhood residents, businesses and community services; and

**WHEREAS** legislation enacted in 1985 by the Federal Government which prohibits communicating in a public place for the purpose of buying or selling sexual services has been largely ineffective in addressing the issue of prostitution and its resulting problems; and

**WHEREAS** in April 2002, the Government of Saskatchewan proclaimed the *Highway Traffic Amendment Act, 2001*, which gives police the authority to seize and impound any vehicle used to commit an offence under Sections 211, 212 or 213 of the Criminal Code, including prostitution; and

**WHEREAS** the *Highway Traffic Act* of Manitoba contains a section called the ‘Seizure of Vehicles in Prostitution Related Offences’ which allows a peace officer, who on reasonable grounds, believes that a motor vehicle is being operated in the course of committing an offence under Sections 211, 212 and 213 of the Criminal Code (Canada), to seize the vehicle and take it into the custody of the law; and

**WHEREAS** Bill 28 (*The Motor Vehicle Act of Nova Scotia*) ‘provides that where a municipality has passed a by-law dealing with the seizure and forfeiture of a motor vehicle involved in the commission of a prostitution-related offence, a peace officer may detain a motor vehicle where the peace officer is satisfied that the vehicle was being operated in the course of committing an offence under Section 211, 212 or 213 of the Criminal Code’;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto enter into discussions with the Attorney General of Ontario in order to gain powers similar to municipalities in Nova Scotia, that would give police the authority to seize and impound any vehicle used to commit an offence under Sections 211, 212 or 213 of the Criminal Code;

**AND BE IT FURTHER RESOLVED THAT** the issue of the City of Toronto gaining powers similar to municipalities in Nova Scotia, that would give police the authority to seize and impound any vehicle used to commit an offence under Sections 211, 212 or 213 of the Criminal Code, be included in any discussions concerning the *New City of Toronto Act*.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, referred this Motion to the Policy and Finance Committee.***

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Council also considered the following:

- Fiscal Impact Statement (July 19, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(2) Free Parking for Canadian Veterans**

*Moved by Councillor Walker, Seconded by Councillor Jenkins*

**“WHEREAS** the Honourable Albina Guarnieri, Minister of Veterans Affairs did, on the 5th day of November, 2004, declare that 2005 shall be the ‘Year of the Veteran’, in honour of those who served this country and in recognition of the 60th anniversary of the end of the Second World War; and

**WHEREAS** the Honourable Harindar Takhar, Minister of Transportation did, on the 23rd day of December, 2003, present the first graphic ‘Veteran Licence Plate’ to a veteran of the Second World War; and

**WHEREAS** the Ministry of Transportation continues to issue said Veteran Licence Plates to eligible Ontarians who served or are serving in the Canadian Armed Forces, the Allied Forces, the Merchant Navy or the Ferry Command; and

**WHEREAS** it is appropriate that the City of Toronto demonstrate its support of Canadian Veterans and further honour those who served and who continue to serve their country; and

**WHEREAS** the City of Hamilton has already taken the initiative to pass By-law No. 05-157, which amends the by-laws relating to on-street parking and municipal parking facilities to allow free parking for Veterans within its municipal boundaries;

**NOW THEREFORE BE IT RESOLVED THAT**, during permitted hours, all vehicles bearing a valid Ontario Veteran Licence Plate be exempted from standard parking fees at all on-street parking meters and in municipally operated parking facilities for the duration of 2005;

**AND BE IT FURTHER RESOLVED THAT** the appropriate traffic by-laws be amended and City staff take appropriate action to give effect to the foregoing.”

***Disposition:***

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, subject to:*

- (1) *deleting the first Operative Paragraph and inserting instead and following:*

***“NOW THEREFORE BE IT RESOLVED THAT, for the duration of 2005, during permitted hours, all vehicles bearing a valid Ontario Veteran Licence Plate be exempted from standard parking fees at all on-street parking meters and parking machines, at parking machines and parking meters in municipally-operated parking facilities, and in municipally-operated parking facilities where attendants are stationed;”***; and

- (2) *adding the following new Operative Paragraph:*

***“AND BE IT FURTHER RESOLVED THAT City Council request that the same exemption be adopted by the agencies, boards and commissions of the City which charge for parking by the public at their facilities.”***

Council also considered the following:

- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(3) Report of Integrity Commissioner on Complaint of Violation of Councillor’s Code of Conduct (Complaint 1)**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

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

**WHEREAS** the Integrity Commissioner has submitted a report dated July 8, 2005, forwarding a confidential attachment in response to a complaint of Violation of the Councillor’s Code of Conduct;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated July 8, 2005, from the Integrity Commissioner, and that the report be received for information.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, received this Motion.***

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Council also considered the following:

- Report (July 8, 2005) from the Integrity Commissioner; and
- Confidential report (July 9, 2005) from the Integrity Commissioner [Confidential Communication C.17(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals.

**J(4) Report of Integrity Commissioner on Complaint of Violation of Councillor’s Code of Conduct (Complaint 2)**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

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

**WHEREAS** the Integrity Commissioner has submitted a report dated July 8, 2005, forwarding a confidential attachment in response to a complaint of Violation of the Councillor’s Code of Conduct;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated July 8, 2005, from the Integrity Commissioner, and that the report be received for information.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, received this Motion.***

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Council also considered the following:

- Report (July 8, 2005) from the Integrity Commissioner; and

- Confidential report (July 8, 2005) from the Integrity Commissioner [Confidential Communication C.18(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals.

**J(5) Report of Integrity Commissioner on Complaint of Violation of Councillor's Code of Conduct (Complaint 3)**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

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

**WHEREAS** the Integrity Commissioner has submitted a report dated July 8, 2005, forwarding a confidential attachment in response to a complaint of Violation of the Councillor's Code of Conduct;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated July 8, 2005, from the Integrity Commissioner, and that the report be received for information.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, received this Motion.***

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Council also considered the following:

- Report (July 8, 2005) from the Integrity Commissioner;
- Confidential report (July 8, 2005) from the Integrity Commissioner [Confidential Communication C.19(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals.

**J(6) Report of Integrity Commissioner on Complaint outside the Commissioner's Jurisdiction (Complaint 4)**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

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



**WHEREAS** the Integrity Commissioner has submitted a report dated July 8, 2005, in response to a complaint against a Councillor that did not come within the Integrity Commissioner's jurisdiction, as set out in the Code of Conduct for Members of Council;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated July 8, 2005, from the Integrity Commissioner, and that the recommendations contained in the report be adopted."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, received this Motion.***

Council also considered the following:

- Report (July 8, 2005) from the Integrity Commissioner; and
- communication (July 4, 2005) from L. David Roebuck, Heenan Blaikie, addressed to the Integrity Commissioner.

**J(7) Memorandum of Agreement Between the City of Toronto and Toronto Civic Employees' Union, Local 416, CUPE (T.C.E.U., Local 416)**

*Moved by Mayor Miller, seconded by Deputy Mayor Bussin*

**"WHEREAS** the City of Toronto reached a tentative agreement with the Toronto Civic Employees' Union, Local 416 CUPE (outside workers) on Sunday, July 10, 2005; and

**WHEREAS** this agreement is the first negotiated settlement between the parties, without third party intervention, in the history of the amalgamated City of Toronto; and

**WHEREAS** this Memorandum of Agreement represents a significant change and improvement in labour-management relations within the City of Toronto; and

**WHEREAS** the City Manager and Deputy City Manager and Chief Financial Officer have prepared a confidential report dated July 19, 2005, regarding the Memorandum of Agreement Between the City of Toronto and the Toronto Civic Employees' Union, Local 416, CUPE (T.C.E.U., Local 416);

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the confidential report dated July 19, 2005, from the City Manager and the Deputy City Manager and Chief Financial Officer, and that the staff recommendations contained in the Recommendations Section of the report be adopted."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, subject to adding the following new Operative Paragraphs:***

***“AND BE IT FURTHER RESOLVED THAT the Labour Relations Steering Committee be requested to report to the appropriate Standing Committee on the parameters under which the Steering Committee will operate, such as provision of a business case, for any consideration of contracting in, including but not limited to, cost comparison of salaries, benefits, equipment purchases; performance of contracted operator and efficacy of the contractor being a comparator for performance, and consultation with the affected Community Councils;***

***AND BE IT FURTHER RESOLVED THAT the City Manager be requested to:***

- (1) report to the Employee and Labour Relations Committee within six (6) months and, thereafter, to the end of the contract, on a semi-annual basis, on the anticipated savings, by Division, from the Continuous Improvement Program and the Hours of Work Initiative in each of the four years of the contract;***
- (2) report to the Employee and Labour Relations Committee on the implications and migration concerns of the payment of a lump sum payment in the amount of the annualized value of the across the board increases as applied to ‘red circled’ employees; and***
- (3) report to City Council, through the Employee and Labour Relations Committee and the Policy and Finance Committee, on the possibility of CUPE Local 416 participating in a competitive bidding process along with the private sector, prior to the termination of the waste collection contracts in the former areas of Etobicoke and York;***

***AND BE IT FURTHER RESOLVED THAT the City Manager, when reporting to City Council on any future negotiated agreement with the Toronto Civic Employee Unions, include a cost comparison between past and current contracts.”***

***In adopting Motion J(7), as amended, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report (July 19, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer. The following staff recommendations contained in the Recommendations Section of the report and the Memorandum***

*of Agreement between the City and Local 416 are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to labour relations or employee negotiations:*

*“It is recommended that:*

- (1) the attached Memorandum of Agreement between the City and Local 416 be ratified by Council;*
- (2) the appropriate City officials be authorized to make the necessary amendments to rates of pay, benefits and other contract improvements;*
- (3) the Deputy City Manager and Chief Financial Officer be authorized to transfer funds from the Non-Program Budget to Program Budgets, based on the value of the wage rate increase for each classification and number of positions within each Program; and*
- (4) the appropriate City officials be authorized to make the necessary adjustments to the Operating Budgets of the Divisions to accommodate the above benefit improvements.”*

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Council also considered the following:

- Confidential report (July 19, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer [Confidential Communication C.22(a)]. The above-noted staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to labour relations or employee negotiations.
- Memorandum of Agreement between the City of Toronto and the Toronto Civic Employees’ Union (T.C.E.U.), Local 416 which is now public, in its entirety [Confidential Communication C.22(b)].

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Councillor Shiner declared an interest in this Motion, in that his son is a seasonal employee with the Parks, Forestry and Recreation Division.

**J(8) Personnel Matter respecting the City Clerk**  
*Moved by Mayor Miller, seconded by Deputy Mayor Pantalone*

“**WHEREAS** the current fixed term employment contract for the City Clerk ends on September 3, 2006; and

**WHEREAS** the Employer is required to notify the Employee at least 12 months prior to the end of the Term (i.e. by September 3, 2005) concerning continuation of the employment relationship; and

**WHEREAS** the incumbent has indicated an interest in ongoing employment with the City;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the confidential report dated July 18, 2005, from Mayor Miller with respect to a personnel matter pertaining to the City Clerk and that such confidential report be adopted.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(8), without amendment, Council adopted, without amendment, the confidential report (July 18, 2005) from Mayor Miller. The following recommendation of the Mayor contained in the Recommendation Section of the report is now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains personal information about an identifiable individual:*

*“It is recommended that the employment of Ulli Watkiss in the position of City Clerk be continued beyond the end of the current employment contract with compensation to continue in the current range, subject to terms and conditions to be negotiated consistent with the new form of employment agreement.”*

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Council also considered the following:

- Confidential report (July 18, 2005) from Mayor Miller [Confidential Communication C.23(a)]. The above-noted recommendation of the Mayor contained in the Recommendation Section of the report is now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about an identifiable individual.

**J(9) Personnel Matter respecting the City Manager**

*Moved by Mayor Miller, seconded by Deputy Mayor Pantalone*

**“WHEREAS** the current fixed term employment contract for the City Manager ends on November 5, 2006; and

**WHEREAS** the Employer is required to notify the Employee at least 15 months prior to the end of the Term (i.e. by August 5, 2005) concerning continuation of the employment relationship; and

**WHEREAS** the incumbent has indicated an interest in ongoing employment with the City;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the confidential report dated July 18, 2005 from Mayor Miller with respect to a personnel matter pertaining to the City Manager and that such confidential report be adopted.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(9), without amendment, Council adopted, without amendment, the confidential report (July 18, 2005) from Mayor Miller. The following recommendation of the Mayor contained in the Recommendation Section of the report is now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains personal information about an identifiable individual:*

*“It is recommended that the employment of Shirley Hoy in the position of City Manager be continued beyond the end of the current employment contract with compensation to continue in the current range, subject to terms and conditions to be negotiated consistent with the new form of employment agreement.”*

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Council also considered the following:

- Confidential report (July 18, 2005) from Mayor Miller [Confidential Communication C.24(a)]. The above-noted recommendation of the Mayor contained in the Recommendation Section of the report is now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about an identifiable individual.

**J(10) Request for City Legal and Planning Staff Representation at Ontario Municipal Board (OMB) Appeal for 462 Birchmount Road (Application A049/05SC)**

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

“**WHEREAS** the applicant of 462 Birchmount Road made an application to the Committee of Adjustment for a variance to use the land to the rear of the existing supermarket, located in Unit 18, as a storage area for non-perishable food items; and

**WHEREAS** the Committee of Adjustment, Scarborough Panel, considered the application to permit a 114-square metre (1,224 square feet) open storage area to the rear of 462 Birchmount Road, Unit 18, as the Zoning By-law permits lands not covered by buildings to be used only for off-street vehicle parking and landscaping purposes; and

**WHEREAS** the general intent and purpose of this requirement is to ensure that commercial and ancillary activity takes place in enclosed buildings only; and

**WHEREAS** the applicant is proposing to place trailers in parking spaces at the rear of the building for storage of perishable goods and other items to be sold inside the supermarket; and

**WHEREAS** the Committee of Adjustment is of the opinion that the trailers will create an unacceptable blight for the adjacent properties, the proposed use would be more appropriately conducted inside the building and, in the opinion of the Committee, the variances do not maintain the general intent of the Zoning By-law; and

**WHEREAS** the Committee of Adjustment, Scarborough Panel, refused the application because, in their opinion, the variance is not minor; and

**WHEREAS** the owners have appealed the Committee of Adjustment Decision to the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor and Planning staff be directed to attend the hearing of the Ontario Municipal Board to support the Committee of Adjustment’s decision to refuse the application.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

- Notice of Decision (May 11, 2005) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel; and
- Site Plan and Location Map for 462 Birchmount Road.

**J(11) Request for City Legal Representation at Ontario Municipal Board (OMB) Appeal for 51 Pitt Avenue (Applications B004/05SC, A006/05SC and A007/05SC)**

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

“**WHEREAS** the owners of the land at 51 Pitt Avenue made applications to the Committee of Adjustment to divide the land to create two lots for single family residential development and for variances to permit each lot having a frontage of 7.62 metres (25 feet) on Pitt Avenue and a lot area of 246 square metres, as the zoning By-law requires a minimum frontage of 12 metres (39.3 feet) on a public street and a minimum lot area of 371 sq. m. (3,994 square feet); and

**WHEREAS** the Committee of Adjustment, Scarborough Panel, considered the provisions of Section 51 (24) of the *Planning Act*, was not satisfied that the proposal is compatible with the existing lot arrangement and development on Pitt Avenue and was of the opinion the variances would not maintain the general intent and purpose of the Zoning By-law; and

**WHEREAS** the Committee of Adjustment, Scarborough Panel, refused the applications; and

**WHEREAS** the owners have appealed the Committee of Adjustment Decision to the Ontario Municipal Board; and

**WHEREAS** the Ontario Municipal Board has scheduled a hearing for these appeals on Thursday, July 21, 2005;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to attend the hearing of the Ontario Municipal Board and be authorized to hire outside planning staff to support the Committee of Adjustment decision to refuse the applications

***Disposition:***

***This Motion was withdrawn at City Council on July 19, 20, 21 and 26, 2005.***

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Council also considered the following:

- Notice of Decision - Consent (April 20, 2005) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel, and Proposed Lot Division Plan for 51 Pitt Avenue;
- Notice of Decision – Minor Variance/Permission (April 20, 2005) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel, and Proposed Lot Division Plan, showing variances for both lots (lot frontage and lot area) for 51 Pitt Avenue; and
- Appointment for Hearing (June 15, 2005) from the Ontario Municipal Board.

**J(12) Designation of the Bloor West Village Ukrainian Festival as an Event of Municipal Significance**

*Moved by Councillor Saundercook, seconded by Councillor Grimes*

“**WHEREAS** the Bloor West Village Ukrainian Festival will hold its Community Festival on August 26, 27 and 28, 2005; and

**WHEREAS** the Bloor West Village Ukrainian Festival has requested a liquor licence for beer tents on a section of Bloor Street West, closed to vehicular traffic on Bloor Street West, between Jane Street and Clendenan Road; and

**WHEREAS** the Bloor West Village Ukrainian Festival has indicated that the locations of the two beer tents will be on Bloor Street, east of Armadale Avenue on Bloor Street, and east of Windermere Avenue; and

**WHEREAS** the Ward Councillor has received this formal request from the Bloor West Village Ukrainian Festival;

**NOW THEREFORE BE IT RESOLVED THAT** City Council declare the Bloor West Village Ukrainian Festival to be an event of municipal significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to this event taking place.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.*

**J(13) Request for Fence Exemption - 1½ Beaumont Road (Ward 27 - Toronto Centre-Rosedale)**

*Moved by Councillor Rae, seconded by Councillor Giambrone*



**“WHEREAS** the owner of 1½ Beaumont Road has applied to the City for an exemption from Chapter 447 of the Toronto Municipal Code – Fences, with respect to the height of a proposed fence at 1½ Beaumont Road; and

**WHEREAS** the Executive Director of Municipal Licensing and Standards has reviewed this request, in consultation with the Transportation Services Division, and has prepared the attached report to Council;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the staff recommendations contained in the Recommendations Section of the report (July 14, 2005) from the Executive Director, Municipal Licensing and Standards.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(13), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (July 14, 2005) from the Executive Director, Municipal Licensing and Standards:***

***“It is recommended that:***

- (1) the owner of 1½ Beaumont Road file with Transportation Services of the City of Toronto, for its approval, a site plan, and cross-section and elevation drawings detailing the physical characteristics of the site, any landscaping and/or alterations to the existing grades as they impact the public right-of-way, the actions to be undertaken to address the grade change and steps to be undertaken to mitigate the impacts on the existing tree and hydro pole in the area; and***
- (2) the fence exemption be granted, conditional upon the owner completing the work as approved by Transportation Services, to its satisfaction, and entering into an encroachment agreement with the City, if necessary.”***

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Council also considered the following:

- Report (July 14, 2005) from the Executive Director, Municipal Licensing and Standards.

**J(14) Confirmation of Intention to Designate Under Part IV of the *Ontario Heritage Act* - 200 Russell Hill Road**

*Moved by Councillor Walker, seconded by Councillor Jenkins*

“**WHEREAS** City Council at its meeting on May 17, 18 and 19, 2005, by its adoption, without amendment, of Motion J(18), moved by Councillor Walker, seconded by Councillor Jenkins, entitled ‘Designation of 200 Russell Hill Road Under the *Ontario Heritage Act*’, stated its intention to designate the property at 200 Russell Hill Road for its cultural resource value or interest; and

**WHEREAS** the *Ontario Heritage Act* requires Council to consult with the Toronto Preservation Board before giving notice of its intention to designate; and

**WHEREAS** the Toronto Preservation Board, at its meeting of June 9, 2005, considered a staff report (May 25, 2005) from the Director, Policy and Research, City Planning, regarding this matter; and

**WHEREAS** the Toronto Preservation Board adopted the staff report which recommended to City Council that it not state its intention to designate the property; and

**WHEREAS** the staff report also recommended that if, after its consultation with the Toronto Preservation Board, Council determines to state its intention to designate the property at 200 Russell Hill Road, a consultant be retained by the City Solicitor to develop the Reasons for Designation so that notice can be given;

**NOW THEREFORE BE IT RESOLVED THAT** City Council confirm its Intention to Designate the property at 200 Russell Hill Road under Part IV of the *Ontario Heritage Act*, and that the City Solicitor be authorized to retain a consultant to develop the Reasons for Designation;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, received this Motion.***

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Council also considered the following:

- Report (May 25, 2005) from the Director, Policy and Research, City Planning; and
- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(15) Designation of Casa Loma and Area as Heritage Conservation District**

*Moved by Councillor Walker, seconded by Councillor Mihevc*

“**WHEREAS** the City of Toronto is the owner of significant heritage resources in the Casa Loma area, including Casa Loma, its stables and Spadina House; and

**WHEREAS** the residential area surrounding Casa Loma, including the area north of the escarpment bounded by Bathurst Street, St. Clair Avenue West and Poplar Plains Road, displays a heritage character and is experiencing redevelopment; and

**WHEREAS** the *Ontario Heritage Act* permits Council to undertake a study which would examine the character of an area to determine if that area should be preserved as a Heritage Conservation District, possible boundaries and the objectives of such a designation;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct that a study be undertaken to determine whether the Casa Loma area might be suitable for designation as a Heritage Conservation District under the *Ontario Heritage Act*;

**AND BE IT FURTHER RESOLVED THAT** the findings and recommendations of the study be reported to the Toronto Preservation Board and the Toronto and East York Community Council;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.*

**J(16) Release of Development Agreements from Railway Lands Block 20/23 (Phases I and II) to Permit the Conveyance of Condominium Units**

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

“**WHEREAS** Concord Adex Developments Corp. (‘Concord Adex’) is the owner of Railway Lands Block 20/23, which it is developing as condominiums in Phases I, II and III; and

**WHEREAS** Concord Adex expects to convey the units in Phase I on August 8, 2005, and the units in Phase II on September 21, 2005; and

**WHEREAS** Concord Adex has requested the City to release certain development agreements prior to these conveyances dates; and

**WHEREAS** the next City Council meeting is scheduled to be held on September 28, 29 and 30, 2005, which is after the anticipated conveyance dates; and

**WHEREAS** the City Solicitor has prepared a report (July 15, 2005) recommending the release of the development agreements, as requested by Concord Adex, subject to certain conditions; and

**WHEREAS** it is, therefore, appropriate that City Council consider the report of the City Solicitor at its July 19, 20 and 21, 2005 meeting;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached report (July 15, 2005) from the City Solicitor, and that the staff recommendation contained in the Recommendation Section of the report be adopted.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(16), without amendment, Council adopted, without amendment, the following staff recommendation contained in the Recommendation Section of the report (July 15, 2005) from the City Solicitor:***

***“It is recommended that authority be granted to release Phases I and II of Block 20/23 in the Railway Lands from the development agreements listed in Appendix ‘B’ to the City Solicitor’s report dated July 15, 2005, (subject to the preconditions set out in Appendix ‘B’), and that authority also be granted to enter into the necessary replacement agreement.”***

Council also considered the following:

- Report (July 15, 2005) from the City Solicitor.

**J(17) Settlement of Appeals to the Revised Parkland Dedication Policy**  
***Moved by Councillor Jenkins, seconded by Mayor Miller***

**“WHEREAS** City Council at its meeting on April 12, 13 and 14, 2005, by its adoption, without amendment, of Planning and Transportation Report 3, Clause 16, headed ‘Proposed Partial Settlement of Appeals of the New Official Plan and Full Settlement of General Appeal of the Development Charges By-law - 003011’, authorized the City Solicitor to give effect to a proposed settlement between the City and a group of developer appellants respecting a revised parkland dedication policy, Section 3.2.3.5 in the new Official Plan; and

**WHEREAS** the ratepayer appellants have objected to the proposed revised policy; and

**WHEREAS** the ratepayer objections are presently scheduled to be adjudicated by the Ontario Municipal Board in the first week of September; and

**WHEREAS** it would be desirable to settle the objections, if possible, rather than have them adjudicated at the Board;

**WHEREAS** representatives of the ratepayer appellants have circulated correspondence indicating a willingness to settle along lines that representatives of some members of the developers group have indicated a willingness to agree to; and

**WHEREAS** it would be appropriate for the City Solicitor to obtain further instructions from Council, in order to enable the parkland dedication policy issue to be comprehensively settled, if possible;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be requested to report to the Planning and Transportation Committee for its meeting on September 12, 2005, on the ratepayer objections to the revised parkland dedication policy, following consultation with each of the parties involved in this matter, including all members of the developers' group;

**AND BE IT FURTHER RESOLVED THAT** the City Solicitor be directed to seek rescheduling of Ontario Municipal Board consideration of the parkland dedication policy from September to October, to allow for further instructions;

**AND BE IT FURTHER RESOLVED THAT** the City solicitor and staff be directed to do all things necessary to give effect thereto, with notice to the parties.”

*[Note:*

*City Council on July 19, 20 and 21, 2005:*

- (1) deferred consideration of this Motion to the special Council meeting on Tuesday, July 26, 2005, to allow Planning and Legal Services staff to meet with representatives of the Ratepayers' Association to discuss and assess the legal and planning concerns and proposals raised by the Ratepayers' Association about the Parkland Dedication settlement; and*
- (2) requested the Chief Planner and City Solicitor provide a written report to the special July 26, 2005 Council meeting on the outcome of these discussions, including recommendations concerning the City's position in the upcoming September Ontario Municipal Board hearing.]*

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, amended this Motion by deleting the Operative Paragraphs and inserting instead the following new Operative Paragraph:***

***“NOW THEREFORE BE IT RESOLVED THAT Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (July 25, 2005) from the Chief Planner and Executive Director, City Planning, and the City Solicitor.”***

***In adopting Motion J(17), as amended, Council adopted, without amendment, the confidential report (July 25, 2005) from the Chief Planner and Executive Director, City Planning, and the City Solicitor. This report remains confidential, in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation.***

\_\_\_\_\_

Council also considered the following:

Communication:

- (July 24, 2005) from William H. Roberts, Barrister and Solicitor;
- \_\_\_\_\_
- Confidential report (July 25, 2005) from the Chief Planner and Executive Director, City Planning, and the City Solicitor [Confidential Communication C.28(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation; and
- Memorandum (July 26, 2005) from Chief Planner and Executive Director, City Planning, forwarding the following correspondence which is public in its entirety:
  - (1) package of correspondence from George Belza received Friday, July 22, 2005;
  - (2) two (2) packages of correspondence from George Belza received Sunday, July 24, 2005; and
  - (3) communication (July 24, 2005) received from Bill Roberts.

**J(18) Withdrawal of Appeal to the Ontario Municipal Board Matter Regarding 117 Wedgewood Drive**

*Moved by Councillor Shiner, Seconded by Councillor Stintz*

“**WHEREAS** the North York Panel of the Committee of Adjustment for the City of Toronto (the ‘Committee’) approved an application by the owner of 117 Wedgewood Drive (A0310/05NY), for the construction of a new two-storey single family detached dwelling on May 31, 2005; and

**WHEREAS** the Committee approved the two associated variances for first floor height and the elevation of the floor entrance of the garage to be located below the established grade; and

**WHEREAS** on June 14, 15 and 16, 2005, Council directed the City solicitor to appeal the minor variance decision of the Committee on behalf of the City of Toronto and to oppose the minor variance application at the Ontario Municipal Board; and

**WHEREAS** the City Solicitor appealed the decision prior to the June 15, 2005 appeal deadline; and

**WHEREAS** subsequent discussions with the new owner took place and the owner explained the special circumstances necessitating the variance for a below grade garage, indicating that an elevator is required in this dwelling for wheelchair accessibility purposes and that the elevator would not be practically accessible from the garage if the garage were on the ground level;

**NOW THEREFORE BE IT RESOLVED THAT** the City solicitor be authorized to withdraw the appeal to Ontario Municipal Board;

**AND BE IT FURTHER RESOLVED THAT** the Chief Building Official be requested to inspect the site after construction has taken place and advise appropriate City officials whether an elevator has been constructed.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

**J(19) Expropriations of Interest in Land at the Southeast Corner of Bishop Avenue and Yonge Street**

*Moved by Councillor Shiner, seconded by Councillor Stintz*

“**WHEREAS** City Council at its meeting of April 12, 13 and 14, 2005, adopted Administration Committee Report 3, Clause 22, headed ‘Expropriations of Interest in Land at the Southeast Corner of Bishop and Yonge – Toronto Transit Commission Pemberton Exit Driveway ( Finch Station)’; and

**WHEREAS** title to the said parcels of land was vested in the City on June 23, 2005, by the registration of Expropriation Plan AT839103; and

**WHEREAS** pursuant to the *Expropriations Act*, the City is required to make offers of full compensation to the registered owners of the parcel by September 23, 2005, which is prior to City Council's next meeting on September 28, 29 and 30, 2005; and

**WHEREAS** pursuant to the Delegated Authority contained in Corporate Services Committee Report 11, Clause 1, headed 'Acquisition and Disposal of Real Property' adopted as amended by City Council on July 29, 30 and 31, 1998, and City Council Confirmatory By-law No. 477-1998, enacted on July 30, 1998, the City Manager has authority to approve statutory offers of compensation for expropriations, where the payment is \$500,000.00 or less; and

**WHEREAS** the offers of full compensation, to be made by September 23, 2005, are based on an independent consultant's appraisal report which is pending and likely to be over the City Manager's \$500,000.00 Delegated Authority limit by an amount to be determined;

**NOW THEREFORE BE IT RESOLVED THAT** City Council, for these statutory offers, waive the City Manager's \$500,000.00 Delegated Authority limit so that the statutory offers to the registered owners of the parcel would be possible by September 23, 2005."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

Council also considered the following:

- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(20) Request of the Mayor to Call a Meeting of the Public Safety and Emergency Preparedness Political Reference Group**

*Moved by Councillor Soknacki, seconded by Councillor Ashton*

**“WHEREAS** the hearts and thoughts of the people of the City of Toronto are with the people of London, England, as a result of the recent bombings on the London public transportation network; and



**WHEREAS** the Mayor of the City of London has attributed the effective response of emergency services to preparatory exercises undertaken by the authorities prior to the attacks; and

**WHEREAS** the City of Toronto has a Public Safety and Emergency Preparedness Political Reference Group composed of the Mayor, the Deputy Mayor, and the Chairs of the Community Services Committee, the Toronto Transit Commission (TTC) and the Board of Health; and

**WHEREAS** the residents of the City of Toronto are seeking reassurance that the City of Toronto has undertaken all reasonable steps to prevent such attacks, and is prepared to respond effectively if such attacks should happen in Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the Mayor be requested to call a meeting of the Public Safety and Emergency Preparedness Political Reference Group, as soon as possible, such meeting to include (but not be limited to) a presentation from the City Manager showing updated and detailed plans on what steps the City, its agencies, boards, commissions and divisions, have taken and will take to prevent and respond to such attacks, if such attacks should happen in the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City staff be requested to undertake an exercise or exercises to test emergency preparedness and response;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City staff be requested to schedule ongoing updates and exercises to keep the City of Toronto in a reasonable state of preparedness;

**AND BE IT FURTHER RESOLVED THAT**, after the meeting of the Public Safety and Emergency Preparedness Political Reference Group, the Mayor be requested to reassure the residents of the City of Toronto by providing a summary of the current state of emergency preparedness.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.*

**J(21) Request for an Extension to an Existing Liquor Licence – Armenian Community Centre, 45 Hallcrown Place, on behalf of Saint Mary Armenian Apostolic Church of Toronto**

*Moved by Councillor Carroll Seconded by Councillor Del Grande*

“**WHEREAS** a request for an extension to an existing liquor licence at the Armenian Community Centre, 45 Hallcrown Place, has been received from Sarkis Ghazarian, Chairman, Board of Trustees, Saint Mary Armenian Apostolic Church of Toronto, regarding a two-day religious and social function, on the occasion of the feast of St. Mary, on Friday, August 12, 2005, from 8:00 p.m. to 1:00 a.m., and on Saturday, August 13, 2005, from 8:00 p.m. to 1:00 p.m.; and

**WHEREAS** there is no meeting of the North York Community Council scheduled prior to the date of the event;

**NOW THEREFORE BE IT RESOLVED THAT** the Alcohol and Gaming Commission of Ontario be advised that City Council has no objection to the granting of an extension to an existing liquor licence at the Armenian Community Centre, 45 Hallcrown Place, received from Sarkis Ghazarian, Chairman, Board of Trustee, Saint Mary Armenian Apostolic Church of Toronto, regarding a two-day religious and social function, on the occasion of the feast of St. Mary, on Friday, August 12, 2005, from 8:00 p.m. to 1:00 a.m., and on Saturday, August 13, 2005, from 8:00 p.m. to 1:00 p.m., and that the Alcohol and Gaming Commission of Ontario be requested to approve the application.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

Council also considered the following:

Communication:

- (July 4, 2005) from Sarkis Ghazarian, Chairman, Board of Trustees, Saint Mary Armenian Apostolic Church.

**J(22) Request for an Extension to an Existing Liquor Licence – Black Creek Pioneer Village, 1000 Murray Ross Parkway, on behalf of The Metis Arts Festival and the Celtic Sounds Festival**

*Moved by Councillor Li Preti, seconded by Councillor Rae*

“**WHEREAS** a request for an extension to an existing liquor licence at Black Creek Pioneer Village, 1000 Murray Ross Parkway, has been received from Marty Brent, Manager, Black Creek Pioneer Village, regarding the following two events:

- (1) the Metis Arts Festival on Saturday, July 23, 2005, from 11:00 a.m. to 5:00 p.m., and Sunday, July 24, 2005, from 11:00 a.m. to 5:00 p.m.; and

- (2) the Celtic Sounds Festival on Saturday, August 27, 2005, from 11:00 a.m. to 5:00 p.m., and Sunday, August 28, 2005, from 11:00 a.m. to 5:00 p.m.; and

**WHEREAS** there is no meeting of the North York Community Council scheduled prior to the date of the two events;

**NOW THEREFORE BE IT RESOLVED THAT** the Alcohol and Gaming Commission of Ontario be advised that City Council has no objection to the granting of an extension to an existing liquor licence at Black Creek Pioneer Village, 1000 Murray Ross Parkway, received from Marty Brent, Manager, Black Creek Pioneer Village for the Metis Arts Festival on Saturday, July 23, 2005, from 11:00 a.m. to 5:00 p.m., and Sunday, July 24, 2005, from 11:00 a.m. to 5:00 p.m., and the Celtic Sounds Festival on Saturday, August 27, 2005, from 11:00 a.m. to 5:00 p.m., and Sunday, August 28, 2005, from 11:00 a.m. to 5:00 p.m., and that the Alcohol and Gaming Commission of Ontario be requested to approve the application.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

Communication:

- (July 5, 2005) from Marty Brent, Manager, Black Creek Pioneer Village.

**J(23) Leaf Blower Use Restriction in the City of Toronto**

*Moved by Councillor Walker, seconded by Councillor Jenkins*

“**WHEREAS**, at the present time, the Noise By-law for the City of Toronto prohibits the creation of noise by the use of leaf blowers, known as ‘powered property service tool’, between the hours of 9:00 p.m. and 7:30 a.m., or 9:00 a.m. in the case of Sundays or holidays; and

**WHEREAS** gas powered leaf blowers produce sound with a strong tonality, which is particularly objectionable, and levels generally measure in the range of 80-90 dBA; and

**WHEREAS** as of January 1, 1992, leaf blowers which produce sound levels in excess of 70 dBA at 15 metres are considered to be in violation of the Noise By-law and are, therefore, essentially banned in the City; and

**WHEREAS** the number of noise complaints resulting from the use of leaf blowers increases steadily each year, as outlined in the Committee Report (January 10, 1996) submitted from the Acting Commissioner of Public Works and the Environment for the City of Toronto; and

**WHEREAS** the Noise By-law is authorized by section 9(1) of the *City of Toronto Act, 1971*, which reads, ‘...The Council of the Corporation may pass by-laws for prohibiting or regulating the making, causing or permitting of noises or any class or classes of noises within the municipality or any defined area or areas thereof which disturbs or may disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants, or which, in the opinion of the Council, are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants.’; and

**WHEREAS** the pollution caused by leaf blowers extends beyond noise to dust, debris, mould, hydrocarbons, carbon monoxide, and ground level ozone, all of which increase the levels of pollution and/or smog in the City, resulting in a loss of quality of life for all residents; and

**WHEREAS** the City of Vancouver, B.C., has already taken the initiative to support a City-wide ban of leaf blowers (Noise Control By-law No. 6555 – November 18, 2003);

**NOW THEREFORE BE IT RESOLVED THAT** City Council amend the Noise By-law (adopted by Council on June 18-20, 2002) to include the following staff Recommendation (2)(a) contained in the Recommendations Section of the report (November 5, 2001) from the Commissioner of Urban Development Services, as amended by the Planning and Transportation Committee:

‘(2)(a) Section 4 be amended to reflect the prohibited period of time for the operation of a power device that blows or vacuums leaves, grass cuttings, debris or other similar material as follows:

- (i) at all times in Quiet Zones;
- (ii) at all times on residential properties except during the months of October and November for leaf removal;
- (iii) between 6:00 p.m. and 8:00 a.m. Monday to Saturday and at all times on Sunday on non-residential properties; and
- (iv) on Smog Alert days;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City staff, by mechanism of the Noise and Pollution by-laws, investigate unconditionally banning the operation of any powered leaf blower, electric or gas, in the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City staff take the necessary actions to give effect to the foregoing.”

***Disposition:***

***Notice of this Motion was given to permit consideration at the next regular meeting of City Council on September 28, 29 and 30, 2005.***

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Council also considered the following:

- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(24) Request of the Federal Government to Investigate Allegations of Active Chinese Agents in Canada**

*Moved by Councillor Walker, seconded by Councillor Balkissoon*

**“WHEREAS** Falun Dafa (Gong) is a peaceful mind and body philosophy practiced though meditation and deliberate exercise; and

**WHEREAS** after originating in China in 1992, Falun Dafa is now practiced in over 60 countries by millions of people, including Canadians; and

**WHEREAS** since July 1999, the Chinese Communist Party has conducted a campaign of persecution against all Falun Dafa practitioners in China; and

**WHEREAS** in the last month, there have been defectors from China who have held high positions in the Chinese Communist Party who testify that the campaign of persecution against Falun Dafa practitioners extends outside the borders of China and into countries such as Canada and Australia; and

**WHEREAS** these defected past Chinese officials have testified that there are thousands of Chinese government agents (‘spies’) throughout the world, including Canada, who are instructed by the Chinese Communist Party to observe and interrupt Falun Dafa practitioners’ activities and their relations with the public in any way possible, including influencing foreign governments; and

**WHEREAS** on July 6, 2005, Michel Juneau-Katsuya, a former CSIS agent, while in an interview on an Australian radio program, corroborated the claims that Chinese nationals and agents have aggressively infiltrated Canada and do interfere in the affairs of Chinese Canadians, most notably Falun Dafa practitioners; and

**WHEREAS** Michel Juneau-Katsuya also discussed that the Federal Government in Canada is somewhat aware of the Chinese Communist Party's actions on Canadian soil but the Federal government may not see the investigation of these foreign activities as a priority, due to diplomatic concerns such as economic relations between China and Canada; and

**WHEREAS** the Canadian government should aggressively protect the freedom and security of all of its citizens and should seriously investigate any allegations of foreign government interference occurring on Canadian soil;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council request the Federal Government to investigate the claims made by the defected Chinese officials and Mr. Juneau-Katsuya, the former CSIS agent, to root out any illegal activities occurring in Canada committed by the Chinese government and/or its representatives;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council hereby stands against any violation of human rights, life and liberty, here or abroad, and recognizes the need to ensure the safety and security of all Torontonians;

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

*Disposition:*

*This Motion was ruled out of order at City Council on July 19, 20, 21 and 26, 2005.*

**J(25) Rescinding Paid Parking at Parking Machines and Meters on Public Holidays**

*Moved by Councillor Hall, seconded by Councillor Palacio*

“**WHEREAS** residents of the City of Toronto were obligated to pay for parking at Toronto Parking Authority ‘Pay and Display’ meters during this year’s Victoria Day and Canada Day holidays; and

**WHEREAS** residents were unaware of the parking enforcement blitz and are still not properly informed of parking enforcement policy as it pertains to statutory civic holidays; and

**WHEREAS** past practice was to not ticket on statutory holidays; and

**WHEREAS** current by-laws provide the right to ticket vehicles during statutory holidays; and

**WHEREAS** all Torontonians enjoy visiting family and friends during statutory holidays, such as New Year's Day, Victoria Day, Canada Day, Simcoe Day, Labour Day, Canadian Thanksgiving and Christmas;

**NOW THEREFORE BE IT RESOLVED THAT** the City's traffic by-laws be amended to rescind the requirement to pay for parking on public holidays at pay and display machines and parking meters on City streets;

**AND BE IT FURTHER RESOLVED THAT** City staff take appropriate action to give effect to the foregoing;

**AND BE IT FURTHER RESOLVED THAT** this take effect commencing for the August 1, 2005 Civic Holiday (Simcoe Day)."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, referred this Motion to the Works Committee.***

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Council also considered the following:

- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(26) Appeal of Committee of Adjustment Decision - 400 Wellington Street West**  
*Moved by Councillor Chow, seconded by Councillor Pantalone*

**“WHEREAS**, the Committee of Adjustment on May 25, 2005, approved the variances requested by 1413881 Ontario Limited for the property at 400 Wellington Street West, subject to a condition that access to the underground garage and servicing be from the rear of the property off of the existing lane, not Wellington Street West; and

**WHEREAS** members of the community have appealed this decision to the Ontario Municipal Board; and

**WHEREAS** the reasons for the appeal are that the 'existing lane' presently serves as the only direct north-south pedestrian linkage between King Street West and Wellington Street West in the large block bounded by Portland Street to the west and Spadina Avenue to the east and is currently used extensively by pedestrians; and

**WHEREAS** requiring vehicular and servicing access for the proposed development to be located off the existing lane is inappropriate, insofar as it has the potential for considerable pedestrian-vehicle conflicts;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to attend at the Ontario Municipal Board in support of the appeal and to request that the condition imposed by the Committee of Adjustment be eliminated and replaced with a condition requiring that primary vehicular access to the proposed development be from Wellington St. West, using the existing curb cut on the east side of the property.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

- Notice of Decision – Minor Variance/Permission (May 27, 2005) from the Acting Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel, respecting 400 Wellington Street West.

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

**J(27) Reporting Procedure on Notices of Motions referred to Agencies, Boards and Commissions**

*Moved by Councillor Nunziata, seconded by Councillor Ootes*

“**WHEREAS** Chapter 27 of the Toronto Municipal Code sets out procedures for the consideration of Notices of Motions and, specifically, Section 27-31.A of Chapter 27 states that Notices of Motions submitted to Council shall be referred directly to the Standing Committee, Community Council, agency, board or commission by the Clerk for consideration; and

**WHEREAS** City Council, at its May 17, 18 and 19, 2005 meeting, referred Notice of Motion J(27), entitled ‘The Implication of Bill 164, the *Tobacco Control Statute Law Amendment Act, 2004*, on Charity Bingo’, to the Board of Health for its consideration; and



**WHEREAS** the Board of Health, at its June 7, 2005 meeting, had the referred Notice of Motion submitted to its meeting through a communication from the City Clerk; and

**WHEREAS** the minutes of the Board's June 7, 2005 meeting indicate that the Chair of the Board of Health ruled the aforementioned Motion to be out of order as the Board of Health had already taken a position on this issue and the Board's position was presented to the Legislature by the Chair and the Medical Officer of Health, and the request in the Motion was also contrary to the Board of Health's current position; and

**WHEREAS** the Chair's ruling was not challenged by the Board of Health Members and, therefore, the Notice of Motion was not properly considered by the Board of Health as requested by Council; and

**WHEREAS** Section 27-83 of Chapter 27 of the Municipal Code, Council Procedures, does specify that the Toronto Board of Health shall report to Council; and

**WHEREAS** the Board of Health's mandate and jurisdiction is established through the *Health Protection and Promotion Act*, and Section 40 of the Board of Health's own procedures by-law does specify that only Board of Health recommendations on budget and corporate policy matters shall be reported to the Council; and

**WHEREAS** current Council meeting procedures and current Board meeting procedures are not clear on the reporting requirements of the Board of Health to reply to matters specifically referred to it, such as Notice of Motions, so that Council is informed of the disposition of business referred to the Board from Council;

**NOW THEREFORE BE IT RESOLVED THAT** the Council Procedures and Meeting Management Working Group be requested to consider this procedural issue and report to Council, through the Policy and Finance Committee, on procedural improvements to ensure that matters referred by Council to agencies, boards and commissions, such as the Board of Health, are properly considered and reported back to City Council to ensure proper and complete disposition on referrals of Notices of Motions decided by City Council."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, referred this Motion to the Policy and Finance Committee.***

**J(28) Declaration of the 2005 LakeShore Mardi Gras Festival as an Event of Municipal Significance**

*Moved by Councillor Grimes, seconded by Councillor Saundercook*

“**WHEREAS** the 2nd Annual LakeShore Mardi Gras Festival is an important festival activity within the City of Toronto and will be held on Saturday, August 13, 2005 from 12:00 noon to 9:00 p.m. and Sunday, August 14, 2005, from 12:00 noon to 7:00 p.m., in Colonel Samuel Smith Park; and

**WHEREAS** the 2nd Annual LakeShore Mardi Gras Festival is an enriching event, providing the community with many opportunities for sharing, and is organized in co-operation with the Grenadier Group; and

**WHEREAS** the 2nd Annual LakeShore Mardi Gras Festival is seeking, on behalf of its participants, a special occasion permit under the Community Festival Section of the *Ontario Liquor License Act*; and

**WHEREAS** pursuant to Section 40 of the Regulations of the *Ontario Liquor License Act*, an application for a special occasion permit for an event that is a community festival must be made by the local Council for the Municipality in which the event is to occur;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto deem the 2nd Annual LakeShore Mardi Gras Festival to be an event of municipal and/or community significance, and advise that the Alcohol and Gaming Commission of Ontario that it has no objection to this event taking place.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

**J(29) 89 Kingsway Crescent – Application for Demolition under Section 34 of the Ontario Heritage Act – Ward 5 (Etobicoke - Lakeshore)**

*Moved by Councillor Milczyn, seconded by Councillor Lindsay Luby*

“**WHEREAS** City Council at its meeting of July 20, 21 and 22, 2004, adopted, as amended, Etobicoke York Community Council Report 6, Clause 33, headed ‘Notice of Intention to Designate 89 Kingsway Crescent under the *Ontario Heritage Act* (Ward 5 – Etobicoke-Lakeshore)’, and, in so doing, stated its intention to designate the property at 89 Kingsway Crescent under Part IV of the *Ontario Heritage Act*; and

**WHEREAS** on July 5, 2005, the solicitors for the owners of 89 Kingsway Crescent made application to City Council for consent to the demolition of the building at 89 Kingsway Crescent; and

**WHEREAS** the Chief Planner and Executive Director, City Planning, wishes to report upon the demolition application and obtain directions from City Council; and

**WHEREAS** pursuant to the *Ontario Heritage Act*, if City Council fails to notify the owner of its decision within 90 days of receipt of the application, then City Council will have been deemed to have consented to the demolition application; and

**WHEREAS** the next meeting of City Council, at which this matter could be considered, is September 28, 29 and 30, 2005; and

**WHEREAS** it is appropriate to consider the report of the Chief Planner and Executive Director, City Planning, at this meeting, as it is a time sensitive matter, and to ensure that City Council is not deemed to have consented to the demolition application;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report (July 11, 2005) from Chief Planner and Executive Director, City Planning, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(29), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (July 11, 2005) from Chief Planner and Executive Director, City Planning:***

***“It is recommended that:***

- (1) City Council refuse the heritage permit application to demolish the building located on the property at 89 Kingsway Crescent (Isaac Scott House) under Section 34 of the Ontario Heritage Act; and***
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”***

Council also considered the following:

- Report (July 11, 2005) from the Chief Planner and Executive Director, City Planning.

**J(30) Request for City Staff to Meet with Officials of the Greek Community of Toronto to Explore Opportunities to Provide Space for City Programming in the New Hellenic Cultural Centre at 411 Ellesmere Road**

*Moved by Councillor Thompson, seconded by Mayor Miller*

“**WHEREAS** the Greek Community of Toronto was established, in 1911, to be the umbrella organization to assist its representative organizations and membership in finding ways to foster, preserve and enhance the Greek heritage, as well as assisting the Hellenic community to integrate into the Canadian mosaic; and

**WHEREAS** the Greek Community of Toronto today represents 200 organizations and in excess of 150,000 individual members of Hellenic descent throughout the City of Toronto and surrounding areas; and

**WHEREAS** the Greek Community of Toronto has become the catalyst with its member organizations and their membership, in creating a vision to build a New Hellenic Cultural Centre to provide a larger 75,000 sq. ft. state of the art facility where the organizations can continue to provide their educational, cultural, athletic, youth, seniors and social programs; and

**WHEREAS** once completed, the New Hellenic Cultural Centre will be expanding their programs and services by creating a library, cultural program rooms, sports facilities, theatre and community offices for their organizations and general community use; and

**WHEREAS** the New Hellenic Cultural Greek Community of Toronto was approved for funding in the amount of \$2 million dollars, through the Canada/Ontario Infrastructure Program - Sports, Culture and Tourism Partnership funding, and the Agreement for the funding was signed on February 24, 2004; and

**WHEREAS** the signed agreement with Federal and Provincial governments has a requirement that the facility must be substantially completed by the end of February 2006, before the approved funding is further advanced to the Greek Community of Toronto; and

**WHEREAS** the New Hellenic Cultural Centre will be a positive visual and architectural addition to the streetscape of Canadian Drive, as well as providing much needed additional space and programs, which will be available to the general community, and this cultural centre will provide a space where various communities can interact; and

**WHEREAS** the United Way has identified the area where the New Hellenic Cultural Centre is to be located as ‘an area in need’, requiring more facilities and programming for the community; and

**WHEREAS** the costs associated with the building permit application are quite exorbitant, and the funds that are being spent on filing the building permit application can be invested into programming which both the Hellenic community and the general public can benefit from;

**NOW THEREFORE BE IT RESOLVED THAT** the appropriate City staff meet with the officials of the Greek Community of Toronto with regard to an agreement to provide space within the proposed community centre for City programs and staff report back on a strategy to credit the value of the space against various City application fees and charges.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, subject to deleting the Operative Paragraph and inserting instead the following new Operative Paragraphs:***

***“NOW THEREFORE BE IT RESOLVED THAT the General Manager, Parks, Forestry and Recreation, be requested to report to Economic Development and Parks Committee, in consultation with Planning and Transportation staff, for its meeting of September 12, 2005, on ‘High Needs Areas’, as stated by the United Way report, on a strategy on the appropriateness and viability of offering programming offsets in exchange for City fees, such report to include, but not be limited to:***

- (a) sustainability of programming;***
- (b) priority setting; and***
- (c) budget impacts;***

***AND BE IT FURTHER RESOLVED THAT the various City application fees and charges be deferred until such time as staff has reported back to the Economic Development and Parks Committee.”***

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Council also considered the following:

- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(31) Liquor License Matters – 1468 Queen Street West - Jim’s Tavern**

*Moved by Councillor Watson, seconded by Councillor Jenkins*

“**WHEREAS** local residents, businesses and the Councillor’s office have significant concerns with respect to the criminal activity conducted in and around Jim’s Tavern (1468 Queen Street West) and the negative impact these activities have on local residents; and

**WHEREAS** members of the public feel unsafe and are intimidated by the patrons and traffic that this establishment attracts, and to which it caters, such that residents avoid walking in the vicinity, fearing for their security and well being; and

**WHEREAS** there is an escalating and ongoing threat to the safety of pedestrians, patrons, neighbours, inspectors and police officers in the area, because of the ongoing criminal activities and arrests emanating from this location and the surrounding area; and

**WHEREAS** Jim’s Tavern has been the subject of investigation by both the 11 and 14 Divisions of the Toronto Police Service and the licensee is currently facing liquor license and other charges; and

**WHEREAS** the Alcohol and Gaming Commission of Ontario’s (AGCO) own records show that there have been many serious liquor related infractions, including over-serving and permitting drunkenness, and one of its own liquor license inspectors was assaulted on the premises while attempting to carry out an inspection; and

**WHEREAS** the Alcohol and Gaming Commission of Ontario is in the process of issuing a Notice of Proposal with respect to the liquor sales licence of Jim’s Tavern, with a hearing soon to be scheduled to address these matters; and

**WHEREAS** there is a general understanding that there is a correlation between these occurrences and the sale and service of alcohol in these premises; and

**WHEREAS** for all of the reasons noted above, the continuation of the liquor sales licence of Jim’s Tavern poses an immediate and ongoing risk to public safety and is not in the public interest, having regard to the needs and wishes of the municipality in which the premises are located;

**NOW THEREFORE BE IT RESOLVED THAT** Council advise the AGCO of the City of Toronto's opposition to the continuation of this liquor sales licence, in particular the risk of public safety, and that a copy of this Resolution be forwarded to the AGCO;

**AND BE IT FURTHER RESOLVED THAT** the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving the revocation of the liquor sales licence of Jim's Tavern (1468 Queen Street West) and that the City Solicitor and necessary staff be authorized to participate in any such proceedings."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

Communication:

- (July 15, 2005) from Bruce Voogd, Chair, Parkdale Housing Committee.

**J(32) Renewal of Lease Agreement - 305 Dawes Road (Ward 31 – Beaches-East York)**

*Moved by Councillor Davis, seconded by Councillor Mihevc*

**“WHEREAS** by adoption of Corporate Administration Committee Report 19, Clause 27, the former Metropolitan Toronto Council, at its meeting on August 13 and 14, 1997, approved the leasing of the subject property (comprised of a two storey designated historic house) to The Centre for Creative Ministries for a term of two (2) years from September 1, 1997, subject to an option to renew for an additional three (3) years; and

**WHEREAS** by the adoption of Corporate Services Committee Report. 6, Clause 21, as amended, City Council at its meeting on June 9, 10 and 11, 1999, approved the renewal for a three-year term; and

**WHEREAS** by adoption of a Motion at its meeting on September 28 and 29, 1999, City Council approved the rent for the renewal term to be \$1,317.00 per month, and the tenant was to complete capital restoration work estimated at a minimum cost of \$75,000.00 over 3 years; and

**WHEREAS** on the authority of Corporate Services Committee Report 11, Clause 1, as amended and adopted by City Council on July 29, 30 and 31, 1998, through Delegated Authority, approval was granted in October of 2002 for a further three-year renewal; and

**WHEREAS** by way of Supplementary Letters Patent, in 2003, the tenant had changed its name from The Centre For Creative Ministries to The Hannon-Shields Centre for Leadership and Peace; and

**WHEREAS** the lease will expire on August 31, 2005, and, pending the review of the City's options for the future use of this property, it is appropriate to extend the term of the existing lease for an additional six months;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached report dated July 7, 2005, from the Chief Corporate Officer, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(32), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (July 7, 2005) from the Chief Corporate Officer:***

***“It is recommended that:***

- (1) authority be granted to enter into an agreement to renew the existing lease with The Hannon-Shields Centre for Leadership and Peace, formerly The Centre for Creative Ministries, for a term of six months commencing September 1, 2005, at a monthly rent of \$1,325.00, net, and subject to terms and conditions as outlined herein and in a form acceptable to the City Solicitor and the existing lease be considered in good standing;***
- (2) authority be granted to the Chief Corporate Officer to administer and manage the lease agreement, including the provision of any consents, approvals, notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matter (including their content) to City Council for its determination and direction; and***



**(3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.***

Council also considered the following:

- Report (July 7, 2005) from the Chief Corporate Officer.

**J(33) Appointments/Additions/Deletions to BIA Boards of Management (BIAs)**

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

**“WHEREAS** Section 204 of the *Municipal Act* requires that Council appoint members to Business Improvement Areas (BIAs)Boards of Management; and

**WHEREAS** the College Promenade, Junction Gardens and Parkdale Village BIAs recently approved appointments/additions/deletions to their respective Boards of Management, as set out below; and

**WHEREAS** it would be beneficial to the City to have these changes approved by Council, as soon as possible, so that they may begin developing their year 2006 Capital Improvement Program;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the Board of Management appointments/additions/deletions and changes to quorum for the College Promenade, Junction Garden and Parkdale Village BIAs as set out below and the necessary changes be made to the City of Toronto Municipal Code, Chapter 19 (Business Improvement Areas);

<b>College Promenade BIA (new)</b> (Appointments to new Board)	<b>Junction Gardens BIA</b> (Changes to existing Board)	<b>Parkdale Village BIA</b> (Changes to existing Board)
Nominees: Ms. Manuela Casaca Mrs. Bernadette Clementino Ms. Benvinda Dias Mr. John Peter Ferreira Mrs. Carm Lopes Mr. Joe Machado Mr. Jorge Rojas Mr. Mike Sinopoli Mr. Albino Silva	Nominees: Mr. Leslie Levine Mrs. Roma Breese	Nominees: Ms. Cathy Bull Ms. Tania Thompson Ms. Danijela Sanodol  Termination: Mr. Peter Morrison
Quorum: 5	Quorum: 6	Quorum: 7

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

**J(34) Final Report - Rezoning Application; Applicant: Greg Bettencourt, Bettencourt Designs Ltd., Architect: Greg Bettencourt, 82 Daniels (Ward 5 - Etobicoke-Lakeshore)**

*Moved by Councillor Milczyn, Seconded by Councillor Grimes*

“**WHEREAS** City Council at its meeting on April 12, 13 and 14, 2005, adopted, without amendment, Etobicoke York Community Council Report 3, Clause 9, headed ‘Final Report - Rezoning Application; Applicant: Greg Bettencourt, Bettencourt Designs Ltd.; Architect: Greg Bettencourt, 82 Daniels (Ward 5 - Etobicoke-Lakeshore)’; and

**WHEREAS** the applicant has requested that the Bills be forwarded for enactment at the July 19, 20, 21 and 26, 2005 meeting of City Council; and

**WHEREAS** staff from City Planning have reviewed the request and have no objection to forwarding the Bills at this time; and

**WHEREAS** staff from Technical Services have reviewed the request and have no objection to forwarding the Bills at this time, provided that the applicant provides adequate financial security for the full cost of constructing a public storm sewer along the Daniels Street frontage of the site; and

**WHEREAS** the local Councillor has also reviewed the request and has no objection to forwarding the Bills at this time;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke York Community Council Report 3, Clause 9, headed ‘Final Report - Rezoning Application; Applicant: Greg Bettencourt, Bettencourt Designs Ltd.; Architect: Greg Bettencourt, 82 Daniels (Ward 5 - Etobicoke-Lakeshore)’ be re-opened for further consideration, only as it pertains to the requirement to obtain Site Plan approval prior to the introduction of bills;

**AND BE IT FURTHER RESOLVED THAT** City Council consider the attached report (July 14, 2005) from the Chief Planner and Executive Director, City Planning, and the staff recommendation contained in the Recommendation Section of the report be adopted.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, re-opened Etobicoke York Community Council Report 3, Clause 9, headed “Final Report - Rezoning Application; Applicant: Greg Bettencourt, Bettencourt Designs Ltd.; Architect: Greg Bettencourt, 82 Daniels (Ward 5 - Etobicoke-Lakeshore)”, for further consideration, only as it pertains to the requirement to obtain Site Plan approval prior to the introduction of bills, and adopted the balance of this Motion, without amendment.***

***In adopting the balance of Motion J(34), without amendment, Council adopted, without amendment, the following staff recommendation contained in the Recommendation Section of the report (July 14, 2005) from the Chief Planner and Executive Director, City Planning:***

***“It is recommended that, notwithstanding staff Recommendation (3) of the Final Report (March 11, 2005) from the Acting Director, Community Planning, West District, and adopted by City Council on April 12, 13, and 14, 2005, the Bills be forwarded for enactment at the July 19, 20 and 21, 2005 meeting of City Council.”***

Council also considered the following:

- Report (July 14, 2005) from the Chief Planner and Executive Director, City Planning.

**J(35) Emery Village Business Improvement Area Entry Signs**

*Moved by Councillor Mammoliti, seconded by Councillor Stintz*

**“WHEREAS** the installation of community identification and business improvement area signage is governed by the City of Toronto’s ‘Identification and Directional Road Signage Policy’ adopted by City Council at its meeting of April 14, 15 and 16, 2003; and

**WHEREAS** the Emery Village Business Improvement Area recently identified 10 strategic locations for the installation of business improvement area identification signage signs; and

**WHEREAS** it would be beneficial to the Emery Village BIA and the City to have these signs approved by Council as soon as possible, so that the BIA and the City may achieve a year-end installation deadline concurrent with the BIA’s Capital cost-sharing budget cycle;

**NOW THEREFORE BE IT RESOLVED THAT** Council approve the location and installation of identification signage within the Emery Village Business Improvement Area, provided that their signage satisfies the requirements outlined in the City's 'Identification and Directional Road Signage Policy'."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

**J(36) Ontario Municipal Board Prehearing - 350 Danforth Road**

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

"**WHEREAS** the Goldman Group has appealed its Official Plan, Zoning and Subdivision applications regarding 350 Danforth Road to the Ontario Municipal Board (OMB), which has scheduled a pre-hearing conference for July 27, 2005; and

**WHEREAS** City staff are continuing to work to resolve the issues pertaining to the Goldman Group's planning applications and require Council's direction with respect to these continuing negotiations and the OMB proceedings; and

**WHEREAS** the Chief Planner and Executive Director, City Planning, has prepared a report dated July 19, 2005, identifying the issues and recommending appropriate actions by staff;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached report (July 19, 2005) from the Chief Planner and Executive Director, City Planning, and that the staff recommendations contained in the Recommendations Section of the report be adopted."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, subject to adding the following new Operative Paragraph:***

***"AND BE IT FURTHER RESOLVED THAT the Chief Planner and Executive Director, City Planning, be authorized to report directly to the September 28, 2005 Council meeting, if a settlement cannot be reached prior to that time."***

***In adopting Motion J(36), as amended, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (July 19, 2005) from the Chief Planner and Executive Director, City Planning:***

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

- (1) direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board prehearing conference to represent the City’s interests, as outlined in this report; and***
- (2) direct staff to continue to negotiate with the applicant to resolve the outstanding matters, with a view to reaching a settlement, and the City Solicitor or the Chief Planner report back to City Council for further instructions prior to the Ontario Municipal Board hearing scheduled to commence on November 21, 2005.”***

Council also considered the following:

- Report (July 19, 2005) from the Chief Planner and Executive Director, City Planning.

**J(37) Amendment to Section 37 Agreement for 3 Windermere Avenue**  
*Moved by Councillor Saundercook, seconded by Councillor Grimes*

**“WHEREAS** on July 26, 2001, City Council adopted By-laws Nos. 707-2001 and 708-2001 to permit comprehensive residential redevelopment of the former Stelco site; and

**WHEREAS** the first phase of that project is now under construction on Block ‘E’, being the block on the east side of Windermere Avenue; and

**WHEREAS** the Section 37 Agreement required that certain Parkettes, described as Parkettes A and B, are to be completed prior to occupancy of the first units in Block ‘E’; and

**WHEREAS** these first units will be the townhouse units, currently anticipated to be occupied and registered as a condominium(s) within the next month or two; and

**WHEREAS** Cresford Developments (‘Cresford’), the owner of the site, has advised that Parkettes A and B will not be provided in time and has asked that the Section 37 Agreement be amended to permit occupancy with a later date for the provision of the Parkettes; and

**WHEREAS** the next City Council meeting will be on September 28, 29 and 30, 2005, which is after the anticipated occupancy dates; and

**WHEREAS** the Chief Planner and Executive Director, City Planning, has prepared a report (July 15, 2005) recommending the requested amendment, subject to certain conditions; and

**WHEREAS** it is therefore appropriate that City Council consider the report from the Chief Planner and Executive Director, City Planning, at its July 19, 20 and 21, 2005 meeting;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached report (July 15, 2005) from the Chief Planner and Executive Director, City Planning, and that staff Recommendation (1) contained in the Recommendations Section of the report be adopted.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, subject to deleting from the Operative Paragraph, the words “staff Recommendation (1)” and inserting instead the words “the staff recommendations”, so that the Operative Paragraph now reads as follows:*

**“NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached report (July 15, 2005) from the Chief Planner and Executive Director, City Planning, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

*In adopting Motion J(37), as amended, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (July 15, 2005) from the Chief Planner and Executive Director, City Planning:*

*“It is recommended that:*

- (1) City Council authorize staff to amend Section 6.3(c) of the Section 37 Agreement related to 3 and 6 Windermere Avenue to permit the townhouses on Block ‘E’ to be occupied and registered as a condominium(s), with the provision of Parkettes A and B delayed until the completion of associated streetscape improvements;*
- (2) the Section 37 Agreement be further amended to require that appropriate security be taken and applied to the Parkettes, in the event that the improvements are not implemented by the developer; and*
- (3) City staff be authorized to take appropriate steps to implement this recommendation.”*

Council also considered the following:

- Report (July 15, 2005) from the Chief Planner and Executive Director, City Planning.

**J(38) Preservation of Industrial Lands for Industrial Purposes**

*Moved by Councillor Nunziata, seconded by Councillor Pitfield*

“**WHEREAS** Toronto’s industrial neighbourhoods continue to be under extreme pressure from re-zoning applications that would permit non-industrial uses, and

**WHEREAS** these non-industrial uses can cause conflicts and impair the function and viability of industries; and

**WHEREAS** the City of Toronto recognizes the contribution of industry to the economic diversity of the City; and

**WHEREAS** the City of Toronto needs its industrial neighbourhoods to provide high quality employment to its increasing population; and

**WHEREAS** the Ontario Municipal Board, in a majority of its decisions, has not upheld the interests of industries in industrial neighbourhoods; and

**WHEREAS** the Ontario Municipal Board tends to ignore the City’s vision of distinctly zoned industrial neighbourhoods in favour of developers with their site-specific applications;

**NOW THEREFORE BE IT RESOLVED THAT** Council request the Minister of Municipal Affairs and Housing to direct the Ontario Municipal Board to give protection to and maintain the status quo of industrial neighbourhoods in the City through the upholding of the City’s zoning and Official Plan provisions.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, referred this Motion to the Planning and Transportation Committee.*

**J(39) Change from Line of Credit Guarantee to Demand Loan Guarantee for the Toronto Botanical Garden Revitalization Plan**

*Moved by Councillor Jenkins, seconded by Councillor Rae*

**“WHEREAS** City Council at its meeting on February 1, 2 and 3, 2005, by its adoption, as amended, of Policy and Finance Committee Report 2, Clause 25, headed ‘Line of Credit Guarantee for the Toronto Botanical Garden Revitalization Plan’, granted the authority for the City to enter into a tri-party agreement with the Toronto Botanical Garden (TBG) and its financial institution for a line of credit guarantee in the amount of \$3,000,000.00 (inclusive of all interest payable by the TBG) for a two-year period starting on March 1, 2005, and ending on March 1, 2007; and

**WHEREAS** it has been determined that the subject line of credit is being negotiated and arranged as a demand loan to better accommodate the TBG’s cash flow requirements for the previously approved amount of \$3,000,000.00; and

**WHEREAS** due to changes in the TBG’s construction timetable, the demand loan guarantee is required for the approved two-year period, but now commencing on January 1, 2006, to January 1, 2008, inclusive; and

**WHEREAS** the issuance of a demand loan guarantee is considered a financial commitment of the City and the Deputy City Manager and Chief Financial Officer has certified that the commitment of \$3.0 million is within the City’s updated Debt and Financial Repayment Limit and does not represent any risk in addition to that which would result from the previously approved line of credit guarantee;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 2, Clause 25, headed ‘Line of Credit Guarantee for the Toronto Botanical Garden Revitalization Plan’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** staff Recommendations (1) and (3) contained in the Recommendations Section of the report (January 14, 2005) from the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism, as amended by Council, be further amended by deleting the words ‘line of credit guarantee’, and replacing them with the words ‘demand loan guarantee’;

**AND BE IT FURTHER RESOLVED THAT** staff Recommendation (1) contained in the Recommendations Section of the report, as amended by Council, be further amended by deleting the words ‘for a two-year period starting on March 1, 2005, and ending on March 1, 2007’, and replacing them with the words ‘for a two-year period starting on January 1, 2006, and ending on January 1, 2008’.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, re-opened Policy and Finance Committee Report 2, Clause 25, headed “Line of Credit Guarantee for the Toronto Botanical Garden Revitalization Plan”, for further consideration and adopted the balance of this Motion, without amendment.***



**J(40) Expansion of Appreciation Awards for Neighbourhood Beautification**

*Moved by Councillor Hall, seconded by Councillor Kelly*

“**WHEREAS** one of the main goals of the ‘Clean and Beautiful City’ campaign is the revitalization of our City as one of the best places to live; and

**WHEREAS** residents and businesses are encouraged to take pride in their communities by picking up litter; and

**WHEREAS** the efforts of Ward-based Neighbourhood Beautification Projects are to be recognized via the Appreciation Awards; and

**WHEREAS** the City of Vaughan has launched a 20-week innovative program, entitled ‘Cash for Trash’, that recognizes residents who clean up litter in public spaces through various incentives, such as cash and gifts from corporate partners, after being spotted by City officials;

**NOW THEREFORE BE IT RESOLVED THAT** City of Toronto staff heading the Clean and Beautiful City campaign monitor and report to the November 2005 Works Committee on the results of the City of Vaughan’s Cash for Trash initiative, to determine if a similar model can be applied in the City of Toronto as an enhancement of the Appreciation Awards.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.*

**J(41) Proposal for Formal Technical Partnership Between the City of Toronto, Canada, with the City of Quito, Ecuador**

*Moved by Councillor Palacio, seconded by Councillor Lindsay Luby*

“**WHEREAS** the City of Toronto has entered into many ‘twinning arrangements’ with municipalities around the world that share an important and growing relationship with the City of Toronto; and

**WHEREAS** Toronto City Council has supported the creation and management of a modest international City-to-City program, where its main objective is to include existing partnerships that generate potential business investments to Toronto, as well as to expand the export market area for local business and to promote culture and tourism; and

**WHEREAS** the City of Toronto would greatly benefit from a twinning with a major South American City, in order to further foster our growing cultural, social and economic ties; and

**WHEREAS** Hispanic residents of the City of Toronto are extremely proud of their Canadian heritage, citizenship and expanding roots, as a community, in this Country and City; and

**WHEREAS** the Ecuadorian market has always been a strong target for tourism development, for example, the famous Archipelago of Galapagos is globally known for its flora and fauna, and for its touristic tropical places and beautiful beaches along the Pacific Coast; and

**WHEREAS** there are tremendous opportunities to work with Tourism Toronto to further advance the touristic appeal of the City of Toronto in the Ecuadorian market, as main cities like Quito are growing economically and serve as Toronto's gateway to Ecuador; and

**WHEREAS** there is a natural link between Toronto and Ecuador, due to the large Ecuadorian presence here in Toronto as, presently, the Hispanic community within the Megacity has over 300,000 people where the Ecuadorian population is predominant, which includes new and growing cultural festivals, newly formed print, radio and television media, newly formed Chambers of Commerce and small businesses in record numbers; and

**WHEREAS**, even though the Ecuadorian community is quite young in relation to other communities, Ecuadorians have exceeded in many areas, such as the arts, science, business and an array of professions; and

**WHEREAS** Quito, the capital of Ecuador, is a good candidate, and may well fit the criteria for a future relationship;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto staff of the Economic Development and Culture staff consult with the Ecuadorian Consulate in Toronto, the Ecuadorian Chamber of Commerce and the mover of this motion to define the potential for a relationship between the two Cities;

**AND BE IT FURTHER RESOLVED THAT** City of Toronto Economic Development and Culture Division evaluate the feasibility of entering into a twinning relationship/formal technical partnership with Quito, Ecuador, to foster an expansion of our growing cultural, social and economic ties, in the context of and in consideration of the overall twinning strategy, and that this be incorporated into the upcoming report to the Economic Development and Parks Committee on international relationships.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, referred this Motion to the Economic Development and Parks Committee.*

**J(42) Taking Action to Reduce the ‘Heat Island Effect’ in Toronto**

*Moved by Councillor Mihevc, seconded by Councillor Carroll*

“**WHEREAS** the Regional Supervising Coroner of Toronto East has attributed the deaths of three men and a woman to high temperatures in Toronto; and

**WHEREAS** the effect of global climate change will likely mean that Toronto will continue to experience dangerously hot summer weather; and

**WHEREAS** the Ontario independent electricity operator has asked Ontarians to reduce electricity consumption because of high cooling demand and a shortage domestic of electricity supply; and

**WHEREAS** urban areas such as Toronto are often several degrees hotter than surrounding rural areas because of the ‘heat island effect’; and

**WHEREAS** the ‘heat island effect’ is caused by an overabundance of dark surfaces, such as pavement and roofs; and

**WHEREAS** a study conducted for the Toronto Atmospheric Fund by the Lawrence Berkley National Laboratory, in 2001, proposed several strategies that mitigate the ‘heat island effect’, reduce peak electricity requirements in the Greater Toronto Area by 250 megawatts, and reduce energy bills by \$11 million; and

**WHEREAS** the recommendations included installing light-coloured roofs which reflect the sun’s heat rather than absorbing it, changing to lighter-coloured pavement, and strategic tree planting to provide shade for buildings, roads, parking lots, etc.; and

**WHEREAS** the Energy Star rating program has created standards for roofs that can reduce energy bills for cooling by 50 percent, while matching the longevity, water tightness and durability of regular roofs; and

**WHEREAS** the cool roofs program in Philadelphia lowered in-unit temperatures in low-income housing by 5 degrees Fahrenheit and on-street temperatures by one degree Fahrenheit, and the Ontario Low-Income Energy Network has developed a template for a comprehensive municipal energy conservation strategy to reduce energy consumption and bills in low-income housing, while meeting the health and comfort needs of building residents;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct staff, in consultation with the Mayor’s Roundtable on the Environment and the Toronto Atmospheric Fund, to prepare a ‘Heat Island Effect Mitigation’ strategy that could include requirements that new roofs meet Energy Star requirements; trees are strategically planted to shade buildings, parking lots and other dark surfaces; and energy conservation measures are targeted for low-income housing that ensure maximum temperature standards, as set by Public Health officials, are not exceeded;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.*

**J(43) Extension of Hours for Municipal Letter of Non-Objection for 594 College Street - Café Diplomatico**

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

“**WHEREAS** City Council, by its adoption, as amended, of Toronto and East York Community Council Report 5, Clause 62, headed ‘Requests for Endorsement of Events for Liquor Licensing Purposes (Davenport, Ward 18; Trinity-Spadina, Wards 19 and 20; St. Paul’s, Ward 21; Toronto Centre-Rosedale, Ward 27 and Beaches-East York, Ward 32)’, directed that the Alcohol and Gaming Commission of Ontario be advised that the City has no objection to the granting of an extension of the liquor licence of Café Diplomatico, 594 College Street, to serve and sell alcohol from 12:00 p.m. to 10:00 p.m., for customer appreciation day, on an extended outside patio on July 23, 2005; and

**WHEREAS** the owner of the Café Diplomatico has requested that the hours of permitted sale of alcohol on its expanded patio be extended from 10:00 p.m. to 11:00 p.m.; and

**WHEREAS** the Liquor Licence Board of Ontario has issued a special occasion permit for Café Diplomatico for July 23, 2005, until 11:00 p.m.;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 62, headed ‘Requests for Endorsement of Events for Liquor Licensing Purposes (Davenport, Ward 18; Trinity-Spadina, Wards 19 and 20; St. Paul’s, Ward 21; Toronto Centre-Rosedale, Ward 27 and Beaches-East York, Ward 32)’, be re-opened for further consideration, only as it relates to the extended hours of operation for the expanded patio of Café Diplomatico;

**AND BE IT FURTHER RESOLVED THAT** the Alcohol and Gaming Commission of Ontario be advised that the City of Toronto has no objection to the granting of an extension of the liquor licence of Café Diplomatico, 594 College Street, to serve and sell alcohol from 12:00 noon to 11:00 p.m., for customer appreciation day, on an extended outside patio on July 23, 2005.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, re-opened Toronto and East York Community Council Report 5, Clause 62, headed “Requests for Endorsement of Events for Liquor Licensing Purposes (Davenport, Ward 18; Trinity-Spadina, Wards 19 and 20; St. Paul’s, Ward 21; Toronto Centre-Rosedale, Ward 27 and Beaches-East York, Ward 32)”, for further consideration, only as it relates to the extended hours of operation for the expanded patio of Café Diplomatico, and adopted the balance of this Motion, without amendment.***

**J(44) Inner City Outtripping Centre**

*Moved by Councillor Watson, seconded by Councillor Walker*

“**WHEREAS** the Inner City Outtripping Centre (ICOC) was created to provide safe and accessible outdoor recreation experiences for high-risk youth living in the City of Toronto; and

**WHEREAS** the ICOC is based on the success of a Parks, Forestry and Recreation Department sponsored initiative, introduced in 1995, to reduce conflict between rival gangs in the Christie Pitts Park area and to ease tension between youth and the Toronto Police Service; and

**WHEREAS** the mission of the ICOC is to encourage community awareness, leadership skills, job readiness training and environmental awareness, through an experiential approach to learning; and

**WHEREAS** research and evaluation of ICOC programs, conducted by York and McMaster Universities, has shown the effectiveness of experiential learning in connecting youth with their environment; and

**WHEREAS** the ICOC works in partnership with numerous organizations, including the Toronto Police Service, Toronto Community Housing Corporation and the Toronto EMS and Fire Services; and

**WHEREAS** the ability to effectively and efficiently transport people and equipment for participation in ICOC activities is key to the ‘outtripping’ concept; and

**WHEREAS** the City of Toronto’s fleet of vehicles currently does not include an appropriate vehicle for use by the ICOC, thereby forcing the Parks, Forestry and Recreation Division to rent a vehicle at a considerable cost; and

**WHEREAS** a private charitable organization has recognized the important work done by the ICOC and has offered to invest in the program by partnering with the City of Toronto towards the purchase of a 12 passenger diesel van, with a 2” hitch, provided the City will match the donated funds; and

**WHEREAS** the said vehicle would become a Capital asset of the City of Toronto for use across Divisions;

**NOW THEREFORE BE IT RESOLVED THAT**, conditional upon an equal sharing of cost by a private charity, City staff be authorized to purchase a 12-passenger diesel van, with a 2" hitch, meeting the needs of the Inner City Outtripping Centre and in consultation with the General Manager of Parks, Forestry and Recreation;

**AND BE IT FURTHER RESOLVED THAT** the Inner City Outtripping Centre, supported through the Parks, Forestry and Recreation Division, be allocated an amount of \$25,000.00 from the Ontario Works Incentive Fund, to fund this acquisition."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

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Council also considered the following:

Communication:

- (July 21, 2005) from Councillor Sylvia Watson, Ward 14 – Parkdale-High Park.
- Fiscal Impact Statement (July 20, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(45) Licensing of Livery Vehicles**

*Moved by Councillor Stintz, seconded by Councillor Saundercook*

**“WHEREAS** City Council at its meeting on May 17, 18 and 19, 2005, by its adoption, without amendment, of Planning and Transportation Report 4, Clause 1, headed ‘Licensing of Livery Vehicles in the City of Toronto’, amended the Toronto Municipal Code, Chapter 545, by adopting several new provisions relative to the licensing of livery vehicles in the City of Toronto; and

**WHEREAS** the new licensing provisions relative to the livery industry are intended, in part, to bring unlicensed limousine activity under the regulatory umbrella; and

**WHEREAS** the new sedan vehicle/stretch vehicle ratio provisions are designed as a method of ensuring that new companies coming under the regulatory umbrella are legitimate, full-service limousine companies; and

**WHEREAS** the new provisions are not intended to impact negatively on the business operations of existing limousine companies already operating legally within the current Municipal Code provisions;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Report 4, Clause 1, headed 'Licensing of Livery Vehicles in the City of Toronto', be re-opened for further consideration, only as it pertains to the ratio of sedan vehicles to stretch vehicles required to obtain a limousine service company licence for existing limousine companies, who held three or more valid livery owner's licences at the time of the passing of the by-law;

**AND BE IT FURTHER RESOLVED THAT** City Council consider amending Chapter 545, Licensing, so that existing limousine companies, who held three or more valid livery owner's licences at the time of the passing of the by-law, be exempt from the sedan vehicle/stretch vehicle ratio as it pertains to their existing fleet of vehicles, other than meeting the minimum licence requirement of at least one stretch vehicle, and the sedan vehicle/stretch vehicle ratio apply to these companies on a go-forward basis as they increase the size of their existing fleets;

**AND BE IT FURTHER RESOLVED THAT** the Planning and Transportation Committee hold a public meeting to consider this matter and that notice of the meeting be given, as required by the *Municipal Act, 2001*, and Chapter 162, Notice, Public."

***Disposition:***

***Notice of this Motion was given to permit consideration at the next regular meeting of City Council on September 28, 29 and 20, 2005.***

**J(46) Personnel Matter Respecting the Integrity Commissioner**

*Moved by Mayor Miller, seconded by Councillor Soknacki*

**"WHEREAS** Mayor Miller has submitted a confidential report (July 18, 2005) respecting a personnel matter pertaining to the Integrity Commissioner;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the confidential report (July 18, 2005) from Mayor Miller, and that the recommendations of the Mayor contained in Recommendations Section of the report be adopted."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, subject to adding the following new Operative Paragraphs:***

***“AND BE IT FURTHER RESOLVED THAT the Integrity Commissioner be requested to develop:***

- (1) affidavits and evidence requirements before a complaint is submitted; and***
- (2) a first phase mechanism to make an initial determination as to whether a complaint is frivolous or vexatious or made in bad faith;***

***AND BE IT FURTHER RESOLVED THAT:***

- “(1) City Council establish an Advisory Task Force to meet with and assist the Integrity Commissioner in making recommendations to Council with respect to his mandate and a protocol for handling complaints, with the work to be concluded once the report is tabled;***
- (2) the Task Force membership be composed of five Members of Council, to be appointed by the Mayor and the Integrity Commissioner, to include:***
  - (a) two Members who have direct knowledge of the process; and***
  - (b) three Members who have not been through the process;***

***and other Members of Council be solicited for their views on this matter; and***
- (3) upon City Council approval, the Task Force meet with the Integrity Commissioner within a timeframe that permits his report to be tabled at the Policy and Finance Committee for its meeting on October 20, 2005.”***

***In adopting Motion J(46), as amended, Council adopted, without amendment, the confidential report (July 18, 2005) from Mayor Miller. The following recommendations of the Mayor contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains personal information about an identifiable individual:***



*“It is recommended that:*

- (1) Mr. David Mullan’s employment as part-time Integrity Commissioner be continued for a term not to exceed two years, effective September 1, 2005;*
- (2) the City Manager be authorized to negotiate with Mr. Mullan, terms and conditions of employment consistent with his part-time status; and*
- (3) the appropriate City officials be authorized and directed by Council to take the necessary action to give effect thereto.”*

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Council also considered the following:

- Confidential report (July 18, 2005) from Mayor Miller [Confidential Communication C.25(a)]. The above-noted recommendations of the Mayor contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about an identifiable individual.
- Confidential Fiscal Impact Statement (July 19, 2005) from the Deputy City Manager and Chief Financial Officer.

**J(47) Grace Campus of the Scarborough Hospital**

*Moved by Councillor Del Grande, seconded by Mayor Miller*

**“WHEREAS** there are only three hospitals and one Community Health Centre in Scarborough, serving a total of 550,000 residents; and

**WHEREAS** the Grace Campus of the Scarborough Hospital serves 300,000 residents in northwest Scarborough and southern Markham; and

**WHEREAS** the Grace Campus of the Scarborough Hospital Emergency Department served 37,500 patients in 2004; and

**WHEREAS** the Hospital was the epicenter of the SARS crisis and provided invaluable research to the entire world about this disease and how to contain it within a health care facility and, ultimately, how to combat it; and

**WHEREAS** the Hospital borders on and serves an area identified by the United Way as one of the most under-served in the entire City of Toronto; and

**WHEREAS** the Hospital suffers from an acute shortage of anaesthetists, paediatricians and personnel to adequately staff a functional Emergency Department; and

**WHEREAS** the Hospital's Medical Advisory Committee has stated that, unless these shortages are remedied, it may force the closure of the Hospital's Emergency Department;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto Council supports the need to have this critical care Hospital continue to serve a large and diverse community and petitions the Government of Ontario, the Ministry of Health and Long-term Care, and Minister George Smitherman to complete an immediate assessment of the staffing and funding shortages at the Grace Campus of the Scarborough Hospital and to provide the funding necessary to allow this facility to continue to provide quality care and emergency services to the residents of Scarborough."

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

**J(48) Appeal of Committee of Adjustment Decision - 2762 Keele Street**

*Moved by Councillor Augimeri, Seconded by Councillor Stintz*

"**WHEREAS** the Committee of Adjustment for the City of Toronto (North York District) refused an application by 1314798 Ontario Limited (tenant), on behalf of McMullan's Pharmacy Limited, the owner of 2762 Keele Street, to permit the existing barbecue stand to be maintained in the side yard driveway as operated; and

**WHEREAS** variance was requested for outside display and sale of merchandise displayed in the side yard; and

**WHEREAS** the applicant has appealed the Committee's decision to the Ontario Municipal Board; and

**WHEREAS** no date has been set for the hearing;

**NOW THEREFORE BE IT RESOLVED THAT** Council authorize the City solicitor to retain outside Planning Support and attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment decision

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

Council also considered the following:

- Report (July 25, 2005) from the Acting Director, Community Planning, North District; and
- Extract from the Minutes of the Meeting of the Committee of Adjustment, North York Panel, held on June 23, 2005, respecting 2762 Keele Street.

**J(49) Declaration of the 2005 Jazz Music Festival as an Event of Municipal Significance**

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

“**WHEREAS** Mr. Mario Bullin of Latin Music Production has been granted the use of Albert Campbell Square for a Jazz Music Festival on August 26, 27 and 28, 2005; and

**WHEREAS** Latin Music Production will be seeking a special occasion permit under the Community Festival Section of the *Ontario Liquor Licence Act*; and

**WHEREAS** there is no meeting of the Scarborough Community Council scheduled prior to the date of the event;

**NOW THEREFORE BE IT RESOLVED THAT** City Council declare the Latin Music Production Jazz Music Festival to be held at the Albert Campbell Square, 150 Borough Drive, on August 26, 27 and 28, 2005, to be an event of municipal significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to the event taking place and to the granting of a liquor licence for the event.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

**J(50) Opposition to Application by Woodbine Entertainment Group to Remove Conditions of Liquor Licence**

*Moved by Deputy Mayor Bussin, seconded by Councillor Rae*

**“WHEREAS** the Alcohol and Gaming Commission of Ontario (‘AGCO’) are reviewing the liquor sales licence of Woodbine Entertainment Group (‘WEG’) [previously the Ontario Jockey Club] operating as the Greenwood Teletheatre located at 1661 Queen Street East, Toronto, Ontario, under AGCO Licence Number 806005; and

**WHEREAS** City staff have been advised that the Ontario Racing Commission has also issued a teletheatre licence to WEG to permit it to operate a teletheatre on these premises; and

**WHEREAS** in the years of 1997 and 1998 the neighbourhood surrounding 1661 Queen Street East was undergoing extensive changes to rehabilitate the neighbourhood from focusing on commercial and industrial activities to a mixed-use development with significant focus on creating a densely populated, family-oriented type area, with new residential urban development and public amenities (such as parks) to take advantage of the close proximity to Lake Ontario; and

**WHEREAS** the AGCO (then the Liquor Licence Board of Ontario) in its decision of February 1998, granted a liquor licence to WEG but also imposed six conditions (the ‘Conditions’) on the liquor licence, as set out in the attached Appendix ‘A’, to address concerns raised by the City and area residents regarding, among other factors, the potential consequences of combining the sale and service of liquor with other forms of gambling, such as slot machines, the potential incompatibility of the type of patrons that are attracted to teletheatre and/or gambling establishments on an area planning for a densely populated, family-oriented neighbourhood, the potential negative impacts a very large, licensed establishment could have on the developing residential neighbourhood and the incompatibility of a late night licensed establishment operating so close to a developing densely populated, family-oriented residential area; and

**WHEREAS** in the Spring of 2005, WEG submitted an application to the AGCO to remove Conditions 3, 4 and 6, as described in Appendix ‘A’, from its liquor licence; and

**WHEREAS** the Ward Councillor for the area (Ward 32) has been advised by a number of residents and an area Resident’s Association – the Beaches Triangle Residents Association – that they have concerns about the licensed establishment operating at 1661 Queen Street East without the benefit of all the Conditions described in Appendix ‘A’; and

**WHEREAS** the Ward Councillor for the area (Ward 32) has been advised by a number of residents and an area resident’s association – the Beaches Triangle Residents Association – that in addition to the concerns raised with the initial licensing of the establishment that they have particular concerns about the incompatibility of licensed establishment operating with additional gambling

facilities, such as slot machines, in an area which is heavily populated and has a significant population of children below the ages of nineteen without the benefit of all the Conditions described in Appendix 'A'; and

**WHEREAS** it is the opinion of the Ward Councillor (Deputy Mayor Bussin), employees at her Ward office and City staff that the commercial and residential areas surrounding this licensed establishment are no longer in the development stage but rather are close to completion, with the building of the final, planned residential development being completed by the end of 2005; and

**WHEREAS** it is the opinion of the Ward Councillor that there has not been a change of circumstances which would be favourable to allowing the removal of the requested conditions on the liquor licence and, actually, the circumstances which the original conditions were meant to address have become even more relevant with the completion of the residential development plans over the past six years since the issuance of the liquor licence and, therefore, the application by WEG to remove Conditions 3, 4, and 6 is not in the public interest, having regard for the needs and wishes of the residents of the municipality for which the licensed premises are located; and

**WHEREAS** it is the opinion of the Ward Councillor, given the development of the neighbourhood into a family and children-oriented environment, it would not be appropriate to support an application by WEG to permit further types of gambling activity on the premises, such as a slot machines or the operation of a gaming casino licence;

**NOW THEREFORE BE IT RESOLVED THAT** Council oppose the application by WEG to the AGCO to remove Conditions 3, 4, and 6 as described in Appendix 'A', as it is not in the public interest having regard for the needs and wishes of the residents of the municipality for which the licensed premises are located, especially in order to protect the character and serenity of the surrounding neighbourhood which is family oriented, already high in density, and against the drawing in of a clientele which would be inappropriate for families and their sense of security and would have the potential for late night noise and other disruptions by its patrons;

**AND BE IT FURTHER RESOLVED THAT** Council oppose the expansion of any further gambling activities on the licensed premises, such as slot machines, and oppose any application by WEG to the Ontario Racing Commission requesting an expansion of its current teletheatre licence and/or application for a gaming casino licence, as it is not in the public interest having regard for the needs and wishes of the residents of the municipality for which the licensed premises are located, for all the reasons listed above;

**AND BE IT FURTHER RESOLVED THAT** Council advise the AGCO of the City's opposition to the removal of the conditions from this liquor sale license and further instructs that a copy of this resolution be provided to the AGCO;

**AND BE IT FURTHER RESOLVED THAT** the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving a review of the liquor sales licence of WEG, including be not limited to the removal of any existing conditions, and the City Solicitor and necessary staff be authorized to participate in any such proceedings;

**AND BE IT FURTHER RESOLVED THAT** Council advise the Ontario Racing Commission of the City's opposition to any applications by WEG which would expand its teletheatre licence or allow WEG to offer other gambling facilities other than the teletheatre licence, such as a licence for a gaming casino, and further instructs that a copy of this Resolution be provided to the Ontario Racing Commission;

**AND BE IT FURTHER RESOLVED THAT** the Ontario Racing Commission be requested to provide the City with an opportunity to participate in any proceedings involving a review of the teletheatre licence of WEG or any application which would allow for additional gambling activities on this site which may include an application for a casino gaming licence, and the City Solicitor and necessary staff be authorized to participate in any such proceedings.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, without amendment.***

**J(51) Ontario Municipal Board Hearing Respecting 1900 Bayview Avenue**

*Moved by Councillor Jenkins, seconded by Councillor Pitfield*

“**WHEREAS** the City Solicitor has prepared a confidential report (July 20, 2005) seeking instructions respecting an upcoming Ontario Municipal Board hearing regarding an application by the owner of 1900 Bayview Avenue for Official Plan and Zoning By-law amendments and site plan approval; and

**WHEREAS** consideration of this matter by Council is required, on an urgent basis, as the Ontario Municipal Board hearing will commence on September 13, 2005;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the confidential report (July 20, 2005) from the City Solicitor, and that staff Recommendation (1) contained in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, adopted this Motion, subject to amending the Operative Paragraph to now read as follows:***

***“NOW THEREFORE BE IT RESOLVED THAT Council consider the confidential report (July 20, 2005) from the City Solicitor, and that staff Recommendation (1) contained in the Recommendations Section of the report be adopted, subject to:***

***(1) adding the following to Recommendation (1)(i):***

***“subject to including the following agreed upon amendments to the offer of settlement:***

***(a) the City obtaining through a conservation easement and/or Section 37 Agreement, a 10-foot strip of land (10-foot strip) adjacent to the south property line of the City lands up to the east limit of the closed road allowance, which shall be maintained as a naturalized passive area with native trees and shrubs, in accordance with a plan to be approved by the City; and***

***(b) the 10-foot strip to be rezoned to open space;”;***

***(2) inserting in Recommendation (1)(iii)A., after the words “Conservation Easement over the 10-metre setback area”, the words “and a Conservation Easement for the 10-foot strip”; and***

***(3) adding the following new Recommendation (1)(vi):***

***“(vi) the proceeds of the sale of the City lands shall be used for parkland improvements in the area, primarily for the purpose of reforestation.”***

***In adopting Motion J(51), as amended, Council adopted, as amended, the following staff Recommendation (1) contained in the Recommendations Section of the report (July 20, 2005) from the City Solicitor. The balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information which is subject to solicitor-client privilege:***

***“It is recommended that:***

- (1) *Council accept the settlement offer proposed by The Kolter Property Company (Kolter) and agreed to by the Bayview-Blythwood Ratepayers Association Incorporated (BBRA) as set out in Kolter's letter of July 19, 2005 (Kolter's letter), attached as Appendix 'A' and the Recommendations in the City Solicitor's report of July 20, 2005, including replacing the three - building concept of 7, 6 and 5 storeys, respectively, with a two-building concept with 6 and 5 storeys, respectively, together with a 3-metre stepback of the upper floor of each building, the sale of the City's closed road allowance and six inch reserve strip, and the entering into of a limiting distance agreement and various easements, and instruct the City Solicitor, in consultation with other appropriate City staff to:*
- (i) *prepare and have appropriate staff enter into Minutes of Settlement with Kolter and BBRA, in a form and with content satisfactory to the City Solicitor, on the basis set forth in Kolter's letter, subject to including the following agreed upon amendments to the offer of settlement:*
- (a) *the City obtaining through a conservation easement and/or Section 37 Agreement, a 10-foot strip of land (10-foot strip) adjacent to the south property line of the City lands up to the east limit of the closed road allowance, which shall be maintained as a naturalized passive area with native trees and shrubs, in accordance with a plan to be approved by the City; and*
- (b) *the 10-foot strip to be rezoned to open space;*
- (ii) *prepare and finalize the sale of the City's closed road allowance and six inch reserve strip at a purchase price of \$700,000.00, on the terms and conditions set out in Kolter's letter, subject to the completion of the settlement and the Ontario Municipal Board approving the implementing official plan and zoning by-law amendments, and that:*
- A. *authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;*



- B. *the City Solicitor be authorized to complete the transactions on behalf of the City, including payment of any necessary expenses and amending the closing and other relevant transaction dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and***
- C. *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;***
- (iii) *prepare, finalize and respecting agreements, register to her satisfaction, the:***

  - A. *implementing By-law Amendments and Site Plan Approval, including the execution and registration of a Section 37 Agreement with facilities, services and matters in accordance with the Final Planning Report of October 26, 2004, and Kolter's letter, and, if required by the TRCA or the City Solicitor in consultation with appropriate City staff, a Conservation Easement over the 10-metre setback area, and a Conservation Easement for the 10-foot strip, all such documents to be in a form and with content acceptable to the City Solicitor in consultation with appropriate City staff;***
  - B. *Site Plan Agreement;***
  - C. *Limiting Distance Agreement and Maintenance Easement respecting the City lands to the west of the site;***
  - D. *Easements, including a 4.5-metre wide replacement easement respecting the City's lands to the west of the site, an interim easement until the replacement easement is finalized, an easement over the 10-metre buffer area and a release of the existing City easement; and***
  - E. *any other documents required to implement the settlement;***

- (iv) *attend the upcoming Ontario Municipal Board hearing in support of the applications, as revised, and subject to fulfilment of conditions in accordance with the settlement offer;*
- (v) *the appropriate City officials be authorized and directed to execute the required agreements and take the necessary action to give effect thereto; and*
- (vi) *the proceeds of the sale of the City lands shall be used for parkland improvements in the area, primarily for the purpose of reforestation.”*

Council also considered the following:

- Confidential report (July 20, 2005) from the City Solicitor [Communication C.27(a)]. The above-noted staff Recommendation (1), as amended by Council, contained in the Recommendations Section of the report is now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege.

**J(52) Damage Resulting from Severe Storm on July 4, 2005 - Request for City Staff to Either Remove Debris or Waive Transfer Station Disposal Fees**  
*Moved by Councillor Kelly, seconded by Councillor Jenkins*

“**WHEREAS** a recent storm hit parts of Scarborough and North York on the night of July 4, 2005, with a force reportedly not experienced in 25 years; and

**WHEREAS**, as a result of this violent weather, trees in some parts of North York and Scarborough were severely damaged or uprooted; and

**WHEREAS** seniors, due to disability, fragile physical condition or limited incomes, are seeking help from the City of Toronto to assist in the clean-up and removal of uprooted trees and debris from their private property;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto, upon request, remove storm damaged trees and debris by either picking up the debris free of charge or waiving the fees for seniors dropping off the debris at the City’s Transfer Stations and dump sites within two weeks of the passing of this motion.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Motion to its next regular meeting on September 28, 2005.*

**J(53) 2005 Pedestrian Sundays in Kensington Market**

*Moved by Councillor Mihevc, seconded by Councillor Moscoe*

“**WHEREAS** City Council, at its June 14-16, 2005 meeting, adopted, as amended, Toronto and East York Community Council Report 5, Clause 66, headed ‘Car Free Sundays in Kensington Market’, and in so doing, decided it would not continue to sponsor the 2005 Pedestrian Sundays in Kensington Market, as in 2004;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 66, headed ‘Car Free Sundays in Kensington Market’, be re-opened for further consideration, only insofar as it pertains to whether the City will sponsor the event in 2005;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto continue to sponsor 2005 Pedestrian Sundays in Kensington Market, as in 2004.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, deferred consideration of this Motion to its next regular meeting on September 28, 2005.*

**J(54) Request for Disabled Parking By-law Amendment for St. Clarens Avenue**

*Moved by Councillor Giambrone, seconded by Councillor Augimeri*

“**WHEREAS** Toronto City Council, at its meeting of June 14, 15 and 16, 2005, adopted, as amended, Toronto and East York Community Council Report 5, Clause 36, and in doing so, established a pilot programme of alternate side parking on Thursdays, from April 1 to November 30, 2005, on a number of streets in Ward 18, including St. Clarens Avenue, to allow for mechanical sweeping of these roads; and

**WHEREAS** there are two on-street disabled persons parking spaces on the east side of St. Clarens Avenue, between College Street and Bloor Street West, which when occupied by vehicles bearing valid disabled persons parking permits on Thursdays, obstruct the flow of traffic on St. Clarens Avenue when other vehicles are parked on the west side of St. Clarens on Thursdays; and

**WHEREAS** creating ‘mirrored’ disabled persons parking spaces on Thursdays for these two disabled persons parking spaces would ameliorate this problem, while accommodating the needs of disabled persons on this road;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 36, headed ‘Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)’, be re-opened for further consideration, only as it pertains to parking on St. Clarens Avenue;

**AND BE IT FURTHER RESOLVED THAT** the following recommendations be adopted:

- (1) the existing two disabled persons parking spaces, which currently are in force at anytime on the east side of St. Clarens Avenue, from a point 288.5 metres south of Bloor Street West and a point 5.5 metres further south, and from a point 82.0 metres north of College Street and a point 5.5 metres further north, be amended to operate between the same limits at anytime except each Thursday, from April 1 to November 30, 2005;
- (2) two disabled persons parking spaces be established on the west side of St. Clarens Avenue, from a point 288.5 metres south of Bloor Street West and a point 5.5 metres further south; and from a point 82.0 metres north of College Street and a point 5.5 metres further north, to operate on each Thursday, from April 1 to November 30, 2005; and
- (3) the appropriate City officials be immediately authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any Bills that may be required.”

***Disposition:***

***City Council on July 19, 20, 21 and 26, 2005, re-opened Toronto and East York Community Council Report 5, Clause 36, headed “Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)”, for further consideration, only as it pertains to parking on St. Clarens Avenue, and adopted the balance of this Motion, without amendment.***

**J(55) Proposed Lease Agreement Between TEDCO, the City of Toronto and Toronto Film Studios Inc./Rose Corporation**

*Moved by Councillor Kelly, seconded by Councillor Ootes*

“**WHEREAS** various representatives of the film industry in Toronto have expressed concerns over the proposed contract with Toronto Film Studios Inc. for the development of the Port Lands owned by the Toronto Economic Development Corporation (TEDCO); and

**WHEREAS** members of the industry have repeatedly expressed concerns that the proposed 'Mega Studio' deal undermines the principles of fair and healthy competition and threatens the growth of the Toronto film industry; and

**WHEREAS** the City of Toronto and all of its subsidiaries must be fully accountable to the Toronto taxpayer and show full transparency in all its signed and proposed contracts; and

**WHEREAS** the City of Toronto has the responsibility to foster and encourage fair competition to support the growth of the film industry in Toronto;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) any proposed leasing agreement between TEDCO, the City of Toronto and Toronto Film Studios Inc./Rose Corporation be reported to Economic Development and Parks Committee, prior to submission to the next regular meeting of City Council;
- (2) the Auditor General be requested to review any lease between Toronto Film Studios Inc. and TEDCO and report to the Policy and Finance Committee for its meeting on September 20, 2005, on:
  - (a) general adherence within such a lease to the principles identified in TEDCO's January 2004 Request for Proposals (RFP) for the development of a film studio in the Toronto Port Lands;
  - (b) the specific details of any divergence from the Request for Proposals, in particular with respect to the term of any lease and the inclusion of any significant additional parcels of land not contemplated in the RFP;
  - (c) any provisions within a proposed lease agreement that exceed the mandate of TEDCO; and
  - (d) the propriety of processing an application for a rezoning of Toronto Film Studios Inc. 629 Eastern Avenue property while, at the same time, negotiating an agreement and lease for a 'mega-studio' in the Port Lands with the same company;
- (3) the Chief Planner and Executive Director, City Planning, be requested to review the consequences to the film industry in Toronto of a 'no competition' clause within any lease between TEDCO, the City of Toronto and Toronto Film Studios Inc./Rose Corporation;

- (4) in view of the Province's recent efforts to stabilize the film industry through expanded tax credits and the City of Toronto's establishment of a Film Board, the Chief Planner and Executive Director, City Planning, be requested to report to the Policy and Finance Committee on whether the land use/land ownership policies of the Province and the Ontario Realty Corporation and the City of Toronto and its agencies are conducive to the goals of enhancing and expanding the film industry in Toronto, and whether land of sufficient dimension and characteristics (including land value) is available to satisfy the current and reasonable expansion needs of film entities being or about to be displaced by Provincial and City of Toronto agencies; and
- (5) the City Solicitor be requested to report to the Policy and Finance Committee on the issue of TEDCO claiming exemption from the Municipal Freedom of Information and Protection of Privacy Act, notwithstanding the fact that the City of Toronto, TEDCO's sole shareholder, is subject to that Act."

***Disposition:***

***Notice of this Motion was given to permit consideration at the next regular meeting of City Council on September 28, 29 and 30, 2005.***

**Condolence Motions**

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

**Seconded by:** Deputy Mayor Pantalone

**“WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Ben Kerr on July 8, 2005; and

**WHEREAS** Ben Kerr was best known for crooning country and western songs at the corner of Yonge and Bloor for two decades, and as a perennial mayoral candidate, he has run in every election since 1985 and was famous for his customized T-shirts; and

**WHEREAS** prior to his career as a busker, Ben Kerr worked as an accountant, a manager and an executive with the Toronto Harbour Commission; and

**WHEREAS** Ben Kerr was one of the City's biggest boosters, and he was often quoted that 'Toronto is the number one City in the world'; and

**WHEREAS** Ben Kerr gave to the people of the City of Toronto a dedicated life marked by a passionate pride in this City and he will be sadly missed by all those touched by his life;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk is directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his nephew Chris Kerr.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion unanimously.*

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

**Seconded by:** Councillor Soknacki

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Chuck Cadman on July 9, 2005; and

**WHEREAS** Chuck Cadman had a strong personal devotion to public service and his decision to support Bills C45 and, especially C48, the Layton-Martin budget amendment, recognized that the important public business before the House of Commons should be addressed; and

**WHEREAS** Chuck Cadman’s support of Bill C48 also meant that Canadian cities will receive hundreds of millions of dollars that are badly needed for transit, housing, and other urban infrastructure; and

**WHEREAS** his work as a federal politician will help Toronto’s government invest in this City, and allow Toronto to continue to be Canada’s economic engine; and

**WHEREAS** Chuck Cadman was a friend of Toronto, a principled politician and we are saddened by his passing;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his wife Dona and daughter Jodi.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion unanimously.*

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

**Seconded by: Mayor Miller**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Thomas Wardle on Monday, June 20, 2005, in his 92<sup>nd</sup> year, after a life of dedicated service to his family, The Crown and Canada, his community and The Anglican Church; and

**WHEREAS** Mr. Wardle was a former M.P.P. for Beaches-Woodbine, Alderman for City of Toronto and Metropolitan Toronto Councils, Trustee and Chairman Toronto Board of Education, Chairman of Riverdale Hospital, Founding Chairman of Riverdale Hospital Charitable Foundation, W.W. II R.C.A.F Veteran, and President of T.A. Wardle & Co. Ltd.; and

**WHEREAS** Mr. Wardle was honoured by The Queen on three occasions for his years of devoted public service, being the recipient of The Confederation of Canada Medal – 1967, The Queen’s Silver Jubilee Medal – 1977 and The Queen’s Golden Jubilee Medal – 2002;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to his son, Thomas Alfred Wardle Jr., and his daughter, Arlene Inez Matheson.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion unanimously.*

(4) **Moved by: Deputy Mayor Pantalone**

**Seconded by: Councillor Watson**

“**WHEREAS** the Members of City Council are saddened to learn of the passing of Bob MacWilliam on July 21, 2005; and

**WHEREAS** Mr. MacWilliam was President of the Canadian National Exhibition Association from October 2003, until his resignation for health reasons in April 2005; and

**WHEREAS** Mr. MacWilliam was well acknowledged for his expertise in the aviation arena, having started his aeronautic career in 1956 when he joined the Royal Canadian Air Force, serving with NATO forces in Germany; and

**WHEREAS** Mr. MacWilliam later flew commercial flights as flight captain for Quantas and Air Canada, eventually becoming a Boeing 727 Chief Instructor; and



**WHEREAS** Mr. MacWilliam accomplishments included: Technical Advisor to the Inquiry Commission into the Air Ontario Crash at Dryden; Member of the Federal Ministry of Transport's Task Force on Airports; Project Manager on the Utilization Study of the Hamilton Civic Airport; Flight Operations Advisor to Mr. Justice Dubin on the Commission of Inquiry on Aviation Safety in Canada; and President of the Canadian International Air Show; and

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his wife Nancy, sons Casey and Michael, daughter Barbara, son-in-law Simon, and his grandchildren Mathew, MacKenzie, Casey and Dustin., his many friends and the many people he touched with love during his lifetime.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion unanimously.*

(5) **Moved by:** **Councillor Del Grande**

**Seconded by:** **Councillor Di Giorgio**

“**WHEREAS** Members of Council are saddened to learn of the passing of Monsignor Giuseppe Antonio Sbrocchi; and

**WHEREAS**, since first arriving in Toronto almost 50 years ago, Monsignor Sbrocchi has served as a priest, leader, pioneer and visionary in the City's Italian community; and

**WHEREAS** Monsignor Sbrocchi led a successful grassroots campaign for the construction of new Catholic schools – leading directly to the construction of St. Nicholas of Bari, Stella Maris, Pope Paul, James Cardinal McGuigan, Regina Pacis and Brother Edmund Rice schools – as well as the introduction of a heritage language program in schools to assist Italian Canadians in maintaining a connection with their native language; and

**WHEREAS** Monsignor Sbrocchi was also a strong advocate for the formation and construction of new Catholic churches and his efforts led to the founding of a new Italian church in Toronto; and

**WHEREAS** Monsignor Sbrocchi believed that the growth of a community had its foundations in the growth of individuals – that growth, economically and spiritually, were interconnected; and

**WHEREAS**, when Monsignor Sbrocchi first immigrated to Canada, Sunday masses were offered only in English – creating an obstacle for new Italian Canadians. Monsignor Sbrocchi responded by preaching in Italian in church basements to ensure a connection with both language and culture, while helping people integrate into Canadian society; and

**WHEREAS** Monsignor Sbrocchi’s legacy still exists today in Toronto’s thriving language programs – now available in a multitude of languages to reflect our City’s diversity;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to his siblings John, Antonio, and Dominic Sbrocchi, Maria Petriccione and Carmela Rosato.”

*Disposition:*

*City Council on July 19, 20, 21 and 26, 2005, adopted this Motion unanimously.*

**Issued:            July 29, 2005**