
TORONTO CITY COUNCIL DECISION DOCUMENT MEETING ON JUNE 27, 28 AND 29, 2006

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

Deferred Clauses:

Administration Committee Report 2.....	1
Audit Committee Report 1.....	1
Planning and Transportation Committee Report 2	2
Works Committee Report 2	3
Etobicoke York Community Council Report 3	8
Policy and Finance Committee Report 4	8
Community Services Committee Report 3	9
Economic Development and Parks Committee Report 3	10
Works Committee Report 3	11
Etobicoke York Community Council Report 4	15
Toronto and East York Community Council Report 4	16

New Reports:

Policy and Finance Committee Report 5	16
Administration Committee Report 4.....	34
Audit Committee Report 2.....	37
Board of Health Report 4.....	39
Community Services Committee Report 4	40
Economic Development and Parks Committee Report 4	42
Planning and Transportation Committee Report 4	44
Works Committee Report 4	48
Joint Planning and Transportation Committee and Works Committee Report 1	50

Etobicoke York Community Council Report 5 51
North York Community Council Report 5 56
Scarborough Community Council Report 5 62
Toronto and East York Community Council Report 5 66

Enquiry and Answer 88

Notices of Motions..... 89

Condolence Motions 142

Deferred Clauses:**Administration Committee Report 2****6c Remuneration and Expenses of Members of Council and of the Council Appointees to Local Boards and Other Special Purpose Bodies for the year ended December 31, 2005**

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also adopted the following procedural motion:

“That all motions moved at the June 27, 28 and 29, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved.”

Motion moved by Councillor Shiner for consideration on July 25, 2006:

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

Audit Committee Report 1**4c 2006 Audit Work Plan**

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also adopted the following procedural motion:

“That:

- (1) all motions moved at the June 27, 28 and 29, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved; and

- (2) any speaker's lists from the June 27, 28 and 29, 2006 meeting of City Council be carried forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and be adopted for continuing the debate on those matters at that meeting, and that a provision be allowed for any Members who were not on a speaker's list to add their names."

Motions moved for consideration on July 25, 2006:

Moved by Councillor Moscoe:

"That the Auditor General be requested to consider adding the following to his work plan:

'Policies and practices related to outside work performed by City Arborists and related staff.' "

Moved by Councillor Davis:

"That the Auditor General be requested to consider including an Access, Equity and Human Rights audit in his 2007 work plan."

Planning and Transportation Committee Report 2

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

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also considered the following:

Communications:

- (March 1, 2006) from Josh Paterson, Acting Director, Freedom of Expression Project, Canadian Civil Liberties Association [Communication 1(a)(1)];
- (May 19, 2006) from Ken Chasse [Communication 1(a)(2)];
- (May 19, 2006) from Kevin Golding [Communication 1(a)(3)];
- (May 19, 2006) from Leah Stokes [Communication 1(a)(4)];
- (May 19, 2006) from Deanne Taylor [Communication 1(a)(5)];
- (May 19, 2006) from David McCallum, Associate Editor, Musicworks Magazine [Communication 1(a)(6)];
- (May 19, 2006) from Patrick Cameron [Communication 1(a)(7)];
- (May 19, 2006) from Shawn Syms [Communication 1(a)(8)];

- (May 19, 2006) from Daniel Quinn [Communication 1(a)(9)];
- (May 19, 2006) from Steve McKay [Communication 1(a)(10)];
- (May 19, 2006) from Meagan Bennell [Communication 1(a)(11)];
- (May 19, 2006) from Melissa Brizuela [Communication 1(a)(12)];
- (May 19, 2006) from Philbert Kim [Communication 1(a)(13)];
- (May 19, 2006) from Kate Hoffmann [Communication 1(a)(14)];
- (May 19, 2006) from Corinne Alstrom [Communication 1(a)(15)];
- (May 19, 2006) from Caroline Chan [Communication 1(a)(16)];
- (May 19, 2006) from Chiara Purdy [Communication 1(a)(17)];
- (May 19, 2006) from Janis Demkiw [Communication 1(a)(18)];
- (May 19, 2006) from Mark Daye [Communication 1(a)(19)];
- (May 19, 2006) from Stephanie Forder [Communication 1(a)(20)];
- (May 20, 2006) from Kate Chung [Communication 1(a)(21)];
- (May 21, 2006) from Kawai Lam [Communication 1(a)(22)];
- (May 21, 2006) from Grace Willan [Communication 1(a)(23)];
- (May 21, 2006) from Pete Carmichael [Communication 1(a)(24)];
- (May 22, 2006) from Yvonne Parti [Communication 1(a)(25)];
- (May 22, 2006) from Penelope Tyndale [Communication 1(a)(26)];
- (May 22, 2006) from Avi Lewis [Communication 1(a)(27)];
- (May 22, 2006) from Ben Marans [Communication 1(a)(28)];
- (May 22, 2006) from Murray D. Lumley [Communication 1(a)(29)];
- (May 22, 2006) from Alice Barton [Communication 1(a)(30)];
- (May 21, 2006) from Motek W. Sherman [Communication 1(a)(31)];
- (May 23, 2006) from Erin Siegel [Communication 1(a)(32)];
- (May 23, 2006) from Liam O'Doherty [Communication 1(a)(33)];
- (May 23, 2006) from Allison Jack [Communication 1(a)(34)];
- (May 23, 2006) from Anna Przychodzki [Communication 1(a)(35)];
- (May 23, 2006) from Andrew Woodrow [Communication 1(a)(36)];
- (May 24, 2006) from Carrie Brown [Communication 1(a)(37)];
- (May 24, 2006) from Daibhid James [Communication 1(a)(38)]; and
- (June 13, 2006) from Alison Gorbould, Toronto Public Space Committee [Communication 1(a)(39)].

Works Committee Report 2

21c Solid Waste Requirements for Lands at Ingram Transfer Station

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also adopted the following procedural motion:

“That any speaker’s lists from the June 27, 28 and 29, 2006 meeting of City Council be carried forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and be adopted for continuing the debate on those matters at that meeting, and that a provision be allowed for any Members who were not on a speaker’s list to add their names.”

Council also considered the following:

Communications:

- (April 21, 2006) from Nicolò Fortunato [Communication 2(a)];
- (April 26, 2006) from Nicolò Fortunato [Communication 2(b)];
- (June 8, 2006) from Nicolò Fortunato [Communication 2(c)];
- (June 21, 2006) from Mark Gambin [Communication 2(d)(1)];
- (June 23, 2006) from Samuel Gonzales [Communication 2(d)(2)];
- (June 26, 2006) from S. Melanson [Communication 2(d)(3)];
- (June 23, 2006) from Fidenzio and Maria Salvatori [Communication 2(d)(4)];
- (June 24, 2006) from Josephine Di Meo [Communication 2(d)(5)];
- (June 22, 2006) from Lori Foreht and Gary Eisler [Communication 2(d)(6)];
- (June 23, 2006) from Luisa Giacometti [Communication 2(d)(7)];
- (June 23, 2006) from Patricia Andrews [Communication 2(d)(8)];
- (June 22, 2006) from Patrick Oppedisano [Communication 2(d)(9)];
- (June 23, 2006) from Robert Nardi [Communication 2(d)(10)];
- (June 23, 2006) from Nick Manocchio [Communication 2(d)(11)];
- (June 23, 2006) from John and Sandra Noon and Assunta Trevisan [Communication 2(d)(12)];
- (June 23, 2006) from Fiorella Borean [Communication 2(d)(13)];
- (June 23, 2006) from Wanda Monks [Communication 2(d)(14)];
- (June 23, 2006) from Alenna (Morresi) Emer [Communication 2(d)(15)];
- (June 23, 2006) from Tom Weber [Communication 2(d)(16)];
- (June 23, 2006) from Maureen E. Haggan [Communication 2(d)(17)];
- (June 23, 2006) from Sandra Gamboias [Communication 2(d)(18)];
- (June 23, 2006) from Ben Tatone [Communication 2(d)(19)];
- (June 23, 2006) from Stephen Codsì and Carmen Codsì [Communication 2(d)(20)];
- (June 23, 2006) from Angie Santelli [Communication 2(d)(21)];
- (June 23, 2006) from Peter Muraca [Communication 2(d)(22)];
- (June 23, 2006) from Orlene Barnett [Communication 2(d)(23)];
- (June 23, 2006) from Elena Chieffallo [Communication 2(d)(24)];
- (June 23, 2006) from Jennifer Weber [Communication 2(d)(25)];
- (June 23, 2006) from John Borean [Communication 2(d)(26)];

- (June 23, 2006) from Danny Pavia [Communication 2(d)(27)];
- (June 23, 2006) from Vince A. Pileggi [Communication 2(d)(28)];
- (June 22, 2006) from Anna Marie Salvia [Communication 2(d)(29)];
- (June 23, 2006) from Victor Filice, Barch [Communication 2(d)(30)];
- (June 23, 2006) from Danny Jardim [Communication 2(d)(31)];
- (June 23, 2006) from Frank Marra [Communication 2(d)(32)];
- (June 23, 2006) from J. Damiano [Communication 2(d)(33)];
- (June 23, 2006) from Mihkel Sutt [Communication 2(d)(34)];
- (June 23, 2006) from Frank Denapoli [Communication 2(d)(35)];
- (June 23, 2006) from Francesco Lofranco [Communication 2(d)(36)];
- (June 23, 2006) from Mike Mastroianni [Communication 2(d)(37)];
- (June 23, 2006) from Rita Piazza [Communication 2(d)(38)];
- (June 26, 2006) from Tammi Mori [Communication 2(d)(39)];
- (June 26, 2006) from Giuliano and Clara Ceolin [Communication 2(d)(40)];
- (June 24, 2006) from Antonio Vitullo [Communication 2(d)(41)];
- (June 24, 2006) from Rose Gagliardi [Communication 2(d)(42)];
- (June 25, 2006) from Stephanie Weber [Communication 2(d)(43)];
- (June 25, 2006) from Inga Zmak [Communication 2(d)(44)];
- (June 26, 2006) from Marisa Giorno [Communication 2(d)(45)];
- (June 26, 2006) from Emilia and Emilio Giorno [Communication 2(d)(46)];
- (June 25, 2006) from Joseph Bozic [Communication 2(d)(47)];
- (June 25, 2006) from Joseph Normandin [Communication 2(d)(48)];
- (June 25, 2006) from E. Balgobin [Communication 2(d)(49)];
- (June 26, 2006) from Joe Gennaro [Communication 2(d)(50)];
- (June 25, 2006) from Carmine Maccarone and Angela Maccarone [Communication 2(d)(51)];
- (June 26, 2006) from Rita Zappa [Communication 2(d)(52)];
- (June 26, 2006) from John Pogacar [Communication 2(d)(53)];
- (June 22, 2006) from Mary Tantalo [Communication 2(d)(54)];
- (June 26, 2006) from Magda and Walid Shqueir [Communication 2(d)(55)];
- (June 26, 2006) from Tony Civichino, Parish Council Chair, Immaculate Conception Church [Communication 2(d)(56)];
- (June 26, 2006) from Herb and Jean Ebisuzaki [Communication 2(d)(57)];
- (June 26, 2006) from Joseph Di Meo [Communication 2(d)(58)];
- (June 26, 2006) from Sal Piccininni, Trustee, Ward 3, Toronto Catholic District School Board [Communication 2(d)(59)];
- (June 26, 2006) from Mary and Iolana Carozzo [Communication 2(d)(60)];
- (June 27, 2006) from Gabriel and Gina Michetti [Communication 2(d)(61)];
- (June 28, 2006) from Larry and Marcella Downey and Family [Communication 2(d)(62)];
- (June 29, 2006) from Patricia Gambin [Communication 2(d)(63)]; and
- (June 29, 2006) from Paul Hsueh [Communication 2(d)(64)].

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

City Council on June 27, 28 and 29, 2006, amended this Clause:

- (1) in accordance with the following staff recommendation contained in the Recommendation Section of the supplementary report (April 21, 2006) from the General Manager, Solid Waste Management Services [as contained in the deferred Clause]:

“It is recommended that the North Toronto Treatment Plant site, located at 21 Redway Road, be added to the list of potentially suitable City-owned sites in Recommendation (7) of the main report.”; and

- (2) by adding the following:

“That:

- (a) the General Manager, Solid Waste Management Services be requested, as part of the planning study, to investigate other appropriate public or private lands, including lands along the Highway 401 corridor and other sites suggested by Members of Council, as potential sites for the SSO processing facility and, if necessary, report back to the Works Committee identifying any financial implications;
- (b) the General Manager, Solid Waste Management Services, be authorized to continue to explore options that respect the Official Plan, the Zoning By-law and the Ministry of Environment guidelines;
- (c) for any Transfer Station site under consideration for expansion, the General Manager, Solid Waste Management, be directed to conduct public consultation meetings to outline the zoning permissions or Official Plan amendments required and the planning process to be followed;
- (d) City-owned green space that abuts an arterial road and that serves as a buffer be protected and enhanced;
- (e) the following motion be referred to the City Manager for a report to the Policy and Finance Committee on City-wide implications:

Moved by Councillor Moscoe:

‘That:

- (1) the General Manager, Solid Waste Management Services be requested to bring forward the Terms of Reference for a Community Benefit Fund to the Works Committee meeting in January 2007;
- (2) the Community Benefit Fund be available to sites both internal and external to Toronto;
- (3) the term “community” be defined internally on the basis of proximity to the site; and
- (4) as well as traditional items community benefits include such things as:
 - (a) City-funded waste collection in industrial areas; and
 - (b) reduced cost by products to local industries.’; and
- (f) the following motion be referred to the General Manager, Solid Waste Management Services, for a report to the Works Committee:

Moved by Councillor Moscoe:

‘That the General Manager, Solid Waste Management Services be requested to review, in consultation with North District Transportation staff, the feasibility of crossing the railway tracks to the east to open the area to truck access from the east, in co-ordination with the findings of the design district charette.’ ”

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

Council also considered the following:

Communications:

- (April 20, 2006) from the City Clerk, City of Pickering [Communication 3(a)];

- (April 25, 2006) from the Clerk, Town of Ajax [Communication 3(b)];
- (May 24, 2006) from Gord Weeden, Chair, Rouge Park Alliance [Communication 3(c)];
- (June 8, 2006) from Nicolò Fortunato [Communication 3(d)]; and
- (June 21, 2006) from John Livey, F.C.I.P., Chief Administrative Officer, Town of Markham [Communication 3(e)].

Etobicoke York Community Council Report 3

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

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

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

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also considered the following:

Communication:

- (April 18, 2006) from Latika James, submitted by Councillor Giorgio Mammoliti, Ward 7, York West [Communication 4(a)].

Policy and Finance Committee Report 4

3b City of Toronto Program Review Framework

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

22b 2005 Final Year-end Operating Variance Report

City Council on June 27, 28 and 29, 2006, amended this Clause by adding the following:

“That the following motion be referred to the Deputy City Manager and Chief Financial Officer for a report to the Policy and Finance Committee, including a review of the City’s policy for disposition of operating surpluses:

Moved by Councillor Moscoe:

‘WHEREAS during the 2005 calendar year, the Board of Directors of the Hummingbird Centre for the Performing Arts did not receive any operating subsidies from the City of Toronto; and

WHEREAS the Centre faces budget pressures in the future due to the departure of its two anchor tenants; and

WHEREAS the Centre’s 2005 Operating Surplus of \$136,838.00 was created by earnings and not by under-spending any subsidy from the City;

NOW THEREFORE BE IT RESOLVED THAT the City hereby directs that the Hummingbird Centre’s earned 2005 surplus of \$136,838.00 be restored to the City’s Stabilization Reserve Fund-Hummingbird Centre XR 2031.’ “

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

29b Harmonization of Sick Leave Plans for Management and Non-Union Employees

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

32b Surplus School Board Sites and Review of the Inventory of City-Owned Properties (All Wards)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Community Services Committee Report 3

6b Systems of Survival, Systems of Support: An Action Plan for Social Assistance in the City of Toronto

City Council on June 27, 28 and 29, 2006, amended this Clause:

- (1) in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (May 17, 2006) from the General Manager, Social Services, and Executive Director, Social Development, Finance and Administration [as contained in the deferred Clause]:

“It is recommended that:

- (1) Council endorse the proposed amendments to the recommendations set out in Attachment 1 of the report by the General Manager of Social Services titled ‘Systems of Survival, Systems of Support: An Action Plan for Social Assistance in the City of Toronto’ and dated April 11, 2006, as set out in Attachment 1 of this report; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and

- (2) by adding the following:

“That the General Manager, Social Services, be requested to advise the Toronto Transit Commission (TTC) on what funding will be provided by Social Services to support the reduced fare media.”

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

Economic Development and Parks Committee Report 3

5b Consideration of Requests for Additional City-to-City Relationships Under the International Alliance Program (All Wards)

City Council on June 27, 28 and 29, 2006, amended this Clause by adding the following:

“That the following motion be referred to the General Manager, Economic Development, Culture and Tourism for report to the Economic Development and Parks Committee:

Moved by Councillor Palacio:

‘That:

- (1) any future consideration by Committees and Council of formal friendship relationships include Casablanca (Morocco, Africa) and not consider Monaco, and any prospective Friendship cities be evaluated and assessed in accordance with the established criteria and process for the International Alliance Program; and

- (2) the General Manager, Economic Development, Culture and Tourism, be requested to re-evaluate the qualifications of Lisbon, Montego Bay and Casablanca in meeting the criteria for friendship cities, and that he consult with the relevant Councillor (Palacio, Thompson and Giambrone) and their respective local communities.’ ”

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

Works Committee Report 3

1b Co-ordinated Street Furniture Program - Design and Policy Guidelines and Directions Report (All Wards) and Supplementary Information on the Eucan Recycling/Litter Bin Test

City Council on June 27, 28 and 29, 2006, amended this Clause:

- (1) by deleting Recommendation (A)(2)(i) of the Works Committee, and inserting instead the following:

“(2)(i) bicycle stands;”;

- (2) by adding to Recommendation (A)(6) of the Works Committee, the words “provided that staff shall include language in the RFP and agreement with a successful proponent which will permit the City to require a successful proponent to undertake programs allowing for the exploration of new street furniture opportunities at fair market value to the City and, where the proponent cannot so provide, the City shall be permitted to undertake such programs with a third party”, so that Recommendation (A)(6) now reads as follows:

“(A)(6)as a condition of the contract(s) for co-ordinated street furniture, no other advertising program be authorized on any other street element, and no future pilot program involving advertising within the public road allowance be approved by the City over the duration of the contract(s), provided that staff shall include language in the RFP and agreement with a successful proponent which will permit the City to require a successful proponent to undertake programs allowing for the exploration of new street furniture opportunities at fair market value to the City and, where the proponent cannot so provide, the City shall be permitted to undertake such programs with a third party;”;

- (3) by inserting in Recommendation (B)(3) of the Works Committee, after the words “remain in place”, the words “unless requested by the local Councillor”, so that Recommendation (B)(3) now reads as follows:

“(B)(3)the Eucan bins installed for the test remain in place, unless requested by the local Councillor, under the existing terms and conditions, until a final decision is reached by Council on the award of the Co-ordinated Street Furniture program, subject to concurrence by Eucan.”; and

- (4) by adding the following new Recommendation (B)(4):

“(B)(4)any pilot Eucan bin removed as per Recommendation (3) above from a pre existing silver box location, be replaced by a silverbox, at the expense of Eucan.”;

- (5) in accordance with the staff recommendations contained in the Recommendations Section of the confidential report (May 18, 2006) from the City Solicitor, such report to remain confidential in its entirety, in accordance with the provisions of the *Municipal Act*, 2001, as it contains information related to the security of the property of the municipality;

- (6) to provide that the report requested of the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning [by the Works Committee, in Part (III) of the Action Taken by the Works Committee] also include the following additional principle:

“(7) ensuring that the City has the right to determine the location and relocation of any street furniture at its discretion.”;

- (7) to provide that that the General Manager, Transportation Services be requested to ensure that street furniture include receptacles for disposing of cigarette butts; and

- (8) by adding the following:

“That:

(a) once the RFP has been issued, the project be placed under a blackout with a prohibition against discussing the RFP with individual Members of Council, and all communication with any bidder or potential bidder be through an official point of contact in accordance with the call document;

(b) the RFP require the winning bidder to remove all posters and graffiti, and to repair any damage within a designated time frame to the satisfaction of the General Manager, Solid Waste Management, and consideration be given to extending this requirement to other street elements, including hydro poles, parking pay and display machines and traffic control boxes within the vicinity of street furniture;

- (c) the Toronto Parking Authority be requested to establish a program for the ongoing removal of posters and graffiti from pay and display parking machines on other properties under their management;
- (d) the City Manager be requested to review all City expenditures on street maintenance to determine how to co-ordinate those expenditures with the obligations for maintenance imposed through the street furniture RFP;
- (e) the General Manager, Solid Waste Management, and the General Manager, Transportation Services, be requested to report to the Works Committee, in July 2006, with a further review of existing contract(s) for benches, such report to summarize the terms and conditions of the contracts related to maintenance or type of bench used, and the numbers of benches currently on the street;
- (f) the General Manager, Solid Waste Management be requested to report to the Works Committee on how to deal with the existing bus shelters when their ownership reverts to the City; and
- (g) a final report on the RFP go to a joint meeting of the Works Committee and the Planning and Transportation Committee.”

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

Council also considered the following:

- Confidential report (April 26, 2006) from the City Solicitor [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 litigation or potential litigation; and
 - Confidential report (May 18, 2006) from the City Solicitor [Confidential Communication C.1(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.
-

Deputy Mayor Feldman declared an interest in this Clause, in that members of his family have bought advertisements on benches.

10b Water and Sewer Services Connection and Disconnection Rates to December 31, 2006 (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12b Community Program for Stormwater Management - Recommendations for Selection of Applications

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

16b Apartment and Multi-Residential Bulk Lift Collection of Garbage, Recyclables and Bulky Garbage in the Former Toronto, York, Etobicoke and East York

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

17b Progress Report on the Options for Addressing Currently Contracted Curbside Waste and Recycling Collection Operations in the Former Etobicoke and York

City Council on June 27, 28 and 29, 2006, amended this Clause by deleting the Recommendations of the Works Committee, and adopted instead the following:

“It is recommended that:

- (1) in order to re-establish necessary lead time to complete the consultation process and either re-tender the York contracts or take necessary steps to prepare for in house operations, the General Manager, Solid Waste Management Services, be authorized to exercise the option to extend the existing contracts with Miller Waste Systems and Turtle Island Recycling for all current curbside collection operations for the York contracted area for a one-year period, from July 1, 2007 to June 30, 2008, at a total estimated amount of \$4,028,268.00 not including taxes; and
- (2) the Director of Purchasing and Materials Management, in consultation with the General Manager, Solid Waste Management Services, proceed to prepare tender proposals for the continuation of this service in the York and Etobicoke collection areas.”

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

Council also considered the following:

Communication:

- Excerpt from Collective Agreement, Toronto Civic Employees' Union, Local 416 [Communication 30(a)].

- Confidential communication (May 3, 2006) from the Works Committee [Confidential Communication C.2(a)]. This communication remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the municipality.

- Confidential report (April 19, 2006) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the municipality.

21b Other Items Considered by the Committee

City Council on June 27, 28 and 29, 2006, postponed Item (n), entitled "The Wet Weather Flow Master Plan Implementation 2004-2005 (City-wide)", contained in this Clause, to its next regular meeting on July 25, 2005.

Etobicoke York Community Council Report 4

6b Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 94 Morningside Avenue (Ward 13 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

12b Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, 3379 Bloor Street West (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

13b Status Report - Rezoning Application - Applicant: Grace Restoration (International) Ministries - 1736 Weston Road (Ward 11 - York South-Weston)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also considered the following:

Communications:

- (May 9, 2006) entitled “Rezoning Application, Applicant: Grace Restoration (International) Ministries - 1736 Weston Road (Ward 11-York South-Weston”, submitted by Councillor Frances Nunziata, Ward 11, York South-Weston [Communication 5(a)];
- (May 23, 2006) from Ronald M. Kanter, Gardiner Roberts, Barristers and Solicitors, on behalf of Grace Restoration (International) Ministries [Communication 5(b)]; and
- (June 26, 2006) from Ronald M. Kanter, Gardiner Roberts LLP [Communication 5(c)].

Toronto and East York Community Council Report 4

4b Permanent Closing of part of the public lane known as Glenholme Place, at the rear of 185 Gerrard Street East and flanking 117 Pembroke Street (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

35b Request for the Installation of Speed Humps - Fairleigh Crescent, between Eglinton Avenue West and the W. R. Allen Bridge (Ward 21 - St. Paul’s)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

New Reports:

Policy and Finance Committee Report 5

1 Implementation of a New Council Governance Model for the Next Term of Council

City Council on June 27, 28 and 29, 2006, amended this Clause by:

- (1) deleting from Recommendation (I)(2)(b) of the Policy and Finance Committee, the words “by secret ballot”, so that Recommendation (I)(2)(b) now reads as follows:

“(I)(2)(b) *Method of Appointment* - The Speaker and Deputy Speaker shall be elected by Council from among its members;”;

- (2) adding to Recommendation (I)(11) of the Policy and Finance Committee, after the word “matters”, the words “and all local Community Council planning issues”, so that Recommendation (I)(11) now reads as follows:

“(I)(11) Council proceed with delegation of authority to Community Councils for some local routine matters, and all local Community Council planning issues, subject to the necessary statutory powers being in effect, and the City Manager report early in the next term on the technical, legal and operational impacts of such delegation;”; and

- (3) referring the following Recommendation (I)(12) of the Policy and Finance Committee to the City Manager:

“(I)(12) the number of Community Councils be reconsidered and the City Manager and City Clerk report in the first quarter of 2007 on options for the number, boundaries and operational issues required to implement this change;”;

with a request that she address the following:

- (i) the pros and cons of additional Community Councils;
 - (ii) whether Community Councils should be held in the evenings; and
 - (iii) options for community consultations as an alternative to additional Community Councils;
- (4) deleting Recommendation (II) of the Policy and Finance Committee and inserting instead the following:

“(II) the City Manager be requested to review, determine and report to the meeting of the Policy and Finance Committee to be held on September 18, 2006, on methods by which members of the community can be more actively engaged, and how Council can better interact with community groups that reflect the changing demographics across Toronto.”; and

- (3) adding the following:

“That the following motions be referred to the City Manager for report to the Policy and Finance Committee:

Moved by Councillor Davis:

'That Recommendation (I)(12) of the Policy and Finance Committee be deleted and replaced with the following:

“(I)(12) the number of Community Councils be increased to eight and the City Manager and City Clerk report in the first quarter of 2007 on options for boundaries and other operational issues required to implement this change;”.’

Moved by Councillor Walker:

'That Recommendation (I)(12) of the Policy and Finance Committee be deleted and replaced with the following:

“(I)(12) the number of Community Councils be increased to eight and the City Manager and the City Clerk report, no later than the first quarter of 2007 on options for boundaries and other operational issues required to implement this change;”.’,

such report to include:

- (a) ways to ensure all neighbourhoods and former Cities feel included in the City's deliberations;
- (b) proposals for big issues at Community Councils to be planned out with an eye to public participation and time management, including night meetings;
- (c) a cost analysis of moving to eight Community Councils, both in staff load and deployment and actual costs; and
- (d) consultation models that are already being used by City Councillors, staff and Agencies, Boards and Commissions.”

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

Council also considered the following:

Communications:

- (May 8, 2006) excerpt from presentations made at the Provincial Legislature to the Standing Committee on General Government related to the *Stronger City of Toronto for a Stronger Ontario Act, 2006*, submitted by Councillor Jane Pitfield, Ward 26, Don Valley West [Communication 26(a)]; and

- (May 4, 2006) Hansard excerpt of presentations made by Councillor Gloria Lindsay Luby, Ward 4, Etobicoke Centre, and Councillor Giorgio Mammoliti, Ward 7, York West, at the Provincial Legislature to the Standing Committee on Finance and Economic Affairs, submitted by Councillor Jane Pitfield, Ward 26, Don Valley West [Communication 26(b)].

2 Provincial Ombudsman's Report on the Municipal Property Assessment Corporation (MPAC)

City Council on June 27, 28 and 29, 2006, amended this Clause by adding to Recommendation (3) of the Policy and Finance Committee, the words "at its September meeting", so that Recommendation (3) now reads as follows:

- “(3) the Deputy City Manager and Chief Financial Officer be requested to submit a report to the Policy and Finance Committee, at its September meeting:
 - (i) on the effectiveness of measures MPAC has taken to meet concerns expressed by residents of the City of Toronto and which were addressed in the Ombudsman's report 'Getting It Right'; and
 - (ii) on the most effective and appropriate means to gather ongoing citizen input on issues concerning MPAC and its implementation of response to the Ombudsman's report.”

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

Council also considered the following:

- Report (June 23, 2006) from the Treasurer [Communication 21(a)].

3 Veteran's Clubhouses and Legion Halls Continuation of Property Tax Rebate Program

City Council on June 27, 28 and 29, 2006, amended this Clause by:

- (1) deleting from Recommendation (1) contained in the report (June 5, 2006) from the Treasurer, the words "years 2007 to 2011", and inserting instead the words "years 2007 and beyond", so that Recommendation (1) now reads as follows:

- “(1) Council approve the continuation of the 100 percent property tax rebate program for eligible Veterans’ Clubhouses and Legion Halls for the taxation years 2007 and beyond;”; and
- (2) deleting the following Recommendation (2) of the Policy and Finance Committee:
- “(2) the Treasurer be requested to submit a report to the Policy and Finance Committee on the possibility of making the exemption permanent after 2011.”

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

4 Impact of the One Percent Reduction on City’s GST Included Fees

City Council on June 27, 28 and 29, 2006, amended this Clause:

- (1) in accordance with the following staff recommendations contained in the Recommendations Section of the report (June 26, 2006) from the Deputy City Manager and Chief Financial Officer:
- “It is recommended that:
- (1) effective July 1, 2006, Golf Course fees be reduced by the equivalent amount of the 1 percent reduction in GST, since it is technically feasible and will not have a significant operating impact, generating a \$30,000.00 savings in 2006 that will be immediately passed on to customers;
- (2) the remaining revenue realized from not reducing the GST included fees estimated at \$118,000.00 in 2006 be transferred into a deferred revenue account and used to mitigate user fee increases during the 2007 Budget deliberations;
- (3) City fees which are inclusive of GST not be adjusted for the reduction in the GST rate as of July 1, 2006, and Council authorize, effective July 1, 2006, the fixing of such fees at the total amounts set out as in Appendix A to this report; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and
- (2) by adding the following:

“That:

- (a) the Federal Government be requested to reimburse the City of Toronto for any accounting losses incurred by the City as a result of the decision to reduce the GST; and
- (b) the Deputy City Manager and Chief Financial Officer be requested to:
 - (i) reduce fees by the equivalent amount of the 1 percent reduction in GST wherever it is possible to do so, where the cost of the refund is greater than the costs of administration; and
 - (ii) report to the Policy and Finance Committee on:
 - (1) what steps can be taken to charge more user fees on the basis of fees plus taxes; and
 - (2) the feasibility of having City fees charged exclusive of the GST.”

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

Council also considered the following:

- Report (June 26, 2006) from the Deputy City Manager and Chief Financial Officer [Communication 28(a)].

5 City Initiated Assessment Appeals under Section 40 of the *Assessment Act* for 2006 Taxation Year - (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Community Partnership and Investment Program Program Standards and Performance Measures Update

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 2005 Annual General Meeting - Toronto Hydro Corporation Amendments to Toronto Hydro Corporation Shareholder Direction, and Annual Audited Financial Statements of Toronto Hydro Corporation

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

8 Enwave Energy Corporation Special Shareholders' Meeting

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

9 2005 Implementation Status Report and Update of the City of Toronto Accessibility Plan

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 Complaints Pursuant to Section 20 of the *Development Charges Act, 1997*, 137 Queens Plate Drive, 195 Cartwright Avenue and 85 Executive Drive

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (June 5, 2006) from the City Solicitor and the Deputy City Manager and Chief Financial Officer [Confidential Communication C.9(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege:

“It is recommended that:

- (1) Council determine that self storage uses are not a ‘Retail Use’, as defined in the City’s development charge by-law;
- (2) Development charges paid for the self storage projects at 137 Queens Plate Drive and 195 Cartwright Avenue, in the amount of \$281,362.03 and \$491,768.35 respectively, be refunded; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

11 Complaints Pursuant to Section 20 of the *Development Charges Act, 1997* - Harmony Park Properties Inc., 3025 Finch Avenue West

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12 City Electricity Purchase and Results for Expressions of Interest (REOI) 9119-06-7107

City Council on June 27, 28 and 29, 2006, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (June 23, 2006) from the Deputy City Manager and Chief Financial Officer:

‘It is recommended that:

- (1) Council authorize the Deputy City Manager and Chief Financial Officer to provide financial guarantee(s) of the financial obligations of Toronto Hydro Energy Services Inc. (“THESI”) to Toronto Hydro-Electric System Limited, relating to the purchase of the electricity by the City and some or all of its Agencies, Boards, and Commissions:
 - (i) in the event that they are necessary in support of a potential arrangement for the provision of consolidated billing services by THESI to the City;
 - (ii) in support of the obligation of THESI as a retailer under the Ontario Retail Settlement Code, to pay to Toronto Hydro-Electric System Limited as a distributor, all charges for competitive and non-competitive electricity services settled through the distributor) for electricity consumed by the City and its agencies, boards, commissions;
 - (iii) for an amount not to exceed \$ 50 million; and
 - (iv) on terms and conditions that are satisfactory to the Deputy City Manager and Chief Financial Officer, and in a form satisfactory to the City Solicitor; and
- (2) the appropriate City officials be authorized to take any action necessary to give effect thereto.”

Council also considered the following:

- Report (June 23, 2006) from the Deputy City Manager and Chief Financial Officer [Communication 18(a)].

13 Union Station District Plan - Area Bounded by Bay Street, Wellington Street, Simcoe Street, the Rail Corridor, Rees Street and Lake Shore Boulevard/Harbour Street (Ward 20 - Trinity Spadina and Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

14 Toronto Hydro Energy Services Inc., Proposal to Provide Energy Retrofit Services for Community Recreation Centres in the Parks, Forestry and Recreation Division

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

15 Purchase Order Amendment - Plant Wide Heating Phase 2 Design/Build - Ashbridges Bay Treatment Plant (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

16 Toronto Public Health 2006 Operating Budget, Adjustments to 100 Percent Funded Programs

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

17 Recommendations on Members of Council Providing Letters of Reference

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also considered the following:

- Report (June 27, 2006) from the Integrity Commissioner [Communication 25(a)].

18 Endorsement - Clear Language Project

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

19 Constructing an Alternative Parking Lot in the Median of Lakeshore Boulevard West, the Installation of a Mid-Block Pedestrian Traffic Control Signal in the Vicinity of 1601 Lakeshore Boulevard West, Terminating the Existing Agreement with Shoreline Entertainment Inc., and the Execution of an Agreement with the Palais Royale Corporation (Ward 14 Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, amended this Clause:

- (1) to provide that the lease for the parking shall include a provision that if alternate, equivalent parking for the Palais Royale becomes available prior to the expiry of the 20 year lease, then such parking may be substituted for the median parking;
- (2) by deleting Recommendation (V) of the Policy and Finance Committee, and inserting instead the following:

“(V) Site Plan approval be applied to this project on this site, and that there be a community consultation meeting to consult on the details of the Site Plan; and”;
- (3) by deleting from staff Recommendation (5) contained in the report (June 13, 2006) from the General Manager, Parks, Forestry and Recreation, the words “and execute”, so that Recommendation (5) now reads as follows:

“(5) authority be granted to the General Manager, Parks, Forestry and Recreation to negotiate a twenty year lease commencing on July 1, 2006, with the Palais Royale Corporation for the operation of the Palais Royale; with a minimum lease fee of \$25,000.00 in year one with an escalation of 2 per cent per year in the remaining years or the percentage rent as indicated above; and with terms and conditions similar to the existing lease and acceptable to the City Solicitor;”; and
- (4) by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (June 27, 2006) from the General Manager, Parks, Forestry and Recreation:

'It is recommended that:

- (1) the detailed design elements that need to be incorporated to reduce the heat island effect and ensure a healthy tree canopy in the proposed median parking lot be subject to approval by the General Manager, Parks, Forestry and Recreation in consultation with the Toronto and Region Conservation Authority, the Chief Planner and Executive Director, City Planning, the Ward Councillor and the Tree Advocate; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.' "

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

Council also considered the following:

- Report (June 27, 2006) from the General Manager, Parks, Forestry and Recreation [Communication 9(d)].

Communications:

- (June 22, 2006) from Vera Kolos [Communication 9(a)];
- (June 26, 2006) from Mary Taylor [Communication 9(b)];
- (June 27, 2006) from David White, Parkdale High Park Waterfront Group [Communication 9(c)];
- (June 24, 2006) from Paula Charabih [Communication 9(e)];
- (undated) from Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence [Communication 9(f)];
- (June 28, 2006) from Ronald A. Fritz, Fritz and Associates, submitted by Councillor Sylvia Watson, Ward 14, Parkdale-High Park [Communication 9(g)];
- (June 26, 2006) from David Hanna [Communication 9(h)]; and

- Petition (undated) submitted by Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence, containing approximately 2,662 signatures of individuals respecting the construction of a parking lot on Lake Shore Boulevard West near the Humber River.

20 Status Report on the Energy Plan for Toronto – Update (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

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

21 2006 Draft Clean Air Action Plan - Proposed Actions

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

22 Smoke-Free Ontario Act – Impact on the Homes for the Aged

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

23 Enhancements to Youth Civic Engagement and Integrated Service Delivery in Priority Neighbourhood Areas

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

24 Toronto’s Participation in the Homeownership Component of the Canada-Ontario Affordable Housing Program

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

25 City of Toronto 2007-2010 Capital Plan and Debt Service Guideline

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also adopted the following procedural motion:

“That:

- (1) all motions moved at the June 27, 28 and 29, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved; and
- (2) any speaker’s lists from the June 27, 28 and 29, 2006 meeting of City Council be carried forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and be adopted for continuing the debate on those matters at that meeting, and that a provision be allowed for any Members who were not on a speaker’s list to add their names.”

Motions moved for consideration on July 25, 2006:

Moved by Councillor Mihevc:

“That:

- (1) the City Manager and the Deputy City Manager and Chief Financial Officer be requested to re-consider the five-year targets for Parks and Recreation, and the City Manager, the Deputy City Manager and Chief Financial Officer and the General Manager, Parks, Forestry and Recreation be requested to report on ways to increase the capital target in light of the state-of-good repair backlog and the current unmet goals related to ‘Priority Neighbourhoods’ and ‘Our Common Grounds’; and
- (2) the Clause be amended in accordance with the following motion:

“**BE IT RESOLVED THAT** the capital project related to the reconstruction of TTC track allowance, pavement, sidewalk and curb on St. Clair Avenue East and West be considered at a total maximum estimated cost of \$18.5 million, in conjunction with the transit improvements on St. Clair Avenue (from Yonge Street to Gunns Road);

AND BE IT FURTHER RESOLVED THAT staff be directed to continue discussions with hydro and gas utilities (Toronto Hydro and Enbridge) to reduce the City's share of any utility related costs;

AND BE IT FURTHER RESOLVED THAT Deputy City Manager Fareed Amin and the General Manager, Transportation Services be directed to include this project in the 2007-2011 capital plan for Transportation Services within the Council approved five-year plan debt guidelines;

AND BE IT FURTHER RESOLVED THAT any 2006 capital costs for this project be financed through a reallocation of project funding from other Transportation projects as determined by staff and reported to the Works Committee in September, 2006;

AND BE IT FURTHER RESOLVED THAT the General Manager, Transportation Services, be requested to reprioritize Transportation projects in the vicinity of St. Clair Avenue to facilitate the financing of the hydro undergrounding.”

Moved by Councillor Nunziata:

“That:

- (1) Part (2) of the motion by Councillor Mihevc be amended by adding the following words to the end of the first Operative Paragraph:

‘subject to the necessary funding for this project being reallocated from proposed capital projects in the 2007-2011 Capital Plan for Transportation Services in Wards 15, 17 and 21’; and

- (2) the General Manager, Transportation Services, be requested to provide a report to all Members of Council on what capital projects will be eliminated from the Capital Plan, as a result of the funding being provided for the St. Clair Avenue project.”

Moved by Councillor Palacio:

“That the last Operative Paragraph in Part (2) of the motion by Councillor Mihevc be amended by inserting after the word ‘projects’, the words ‘between 2007-2011’, so that it now reads as follows:

‘AND BE IT FURTHER RESOLVED THAT the General Manager, Transportation Services, be requested to re-prioritize transportation projects between 2007-2011 in the vicinity of St. Clair Avenue to facilitate the financing of the hydro undergrounding.’ “

Moved by Councillor Shiner:

“That Toronto Hydro Electric System Limited be requested to include in its rate filing for 2007 the cost to underground the electrical system on St. Clair Avenue to Gunns Road; and further that any additional funding for the undergrounding of this electrical system be subject to Toronto Hydro Electric System Limited obtaining approval of the Ontario Energy Board.”

Moved by Councillor Hall:

“That Part (1) of the motion by Councillor Nunziata be amended by deleting the words ‘Wards 15, 17 and 21’, and inserting instead the words ‘the affected Wards’.”

Council also considered the following:

- (June 27, 2006) from the Executive Director, Technical Services, and the General Manager, Transportation Services [Communication 17(c)].

Communications:

- (June 26, 2006) from the Interim Chief General Manager, Toronto Transit Commission [Communication 17(a)]; and
 - (June 27, 2006) from David S. O’Brien, President and Chief Executive Officer, Toronto Hydro Corporation [Communication 17(b)].
-
- Confidential report (May 26, 2006) from the City Clerk and the Chief Corporate Officer [Confidential Communication C.10(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the potential acquisition of property for municipal purposes.
-

Councillor Mammoliti declared an interest in this Clause, in that his spouse has an interest in a company that owns property on St. Clair Avenue West.

26 Capital Variance for Four Months Ended April 30, 2006

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

27 Operating Variance for the Four Months Ended April 30, 2006

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

28 Adjustments to Approved Cash Flows Information and Technology Capital Budget

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

29 Better Buildings New Construction Program Budget, Toronto Hydro Conservation and Demand Management Program (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

30 Yonge-Dundas Square Stage Canopy Project Additional Funding (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

31 Waterfront Revitalization Initiative, Revised 2006 Capital Budget

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

32 2005 Expenditures for Consulting Services - City Divisions and Major Agencies, Boards and Commissions

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

33 Deep Lake Water Cooling - Old City Hall

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

34 Simcoe Street Underpass (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

35 Adjustments to Approved Cash Flows - Facilities and Real Estate Division's 2006 Approved Capital Budget

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

36 Toronto Public Health Budget Adjustment for Summer Service Implementation

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

37 Occupational Health and Safety Report – First Quarter, 2006

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

38 Human Rights 2005 Annual Report

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

39 Settlement of Class Action - Markle and Horsley vs. City of Toronto

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential communication (June 19, 2006) from the Employee and Labour Relations Committee [Confidential Communication C.11(a)]. This communication is now public in its entirety, and contains the following recommendation:

“The Employee and Labour Relations Committee recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (June 12, 2006) from the Deputy City Manager and Chief Financial Officer and the City Solicitor, subject to amending Recommendation (3) by inserting the words ‘up to’ after the words ‘costs of’, so that the Recommendation now reads as follows:

- ‘(3) funding for the incremental retiree benefit costs of up to \$150,000.00 for 2007 and future years be included in the respective year’s Non-Program Budget submission;’.”
-

- Confidential report (June 12, 2006) from the Deputy City Manager and Chief Financial Officer 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 information pertaining to labour relations or employee negotiations:

“It is recommended that:

- (1) the Minutes of Settlement attached as Appendix A be ratified;
- (2) the 2006 payments of \$200,000.00 be made from the Non-Program Expenditure Budget, with funding of \$120,000.00 provided from the Employee/Retiree Benefits Reserve Fund and \$80,000.00 from the 2006 Approved Budget for Non-Program Expenditures, and that the 2006 Non-Program Expenditure Budget be increased by \$120,000.00 for \$0 net impact;
- (3) funding for the incremental retiree benefit costs of up to \$150,000.00 for 2007 and future years be included in the respective year’s Non-Program Budget submission; and
- (4) the appropriate City officials be authorized to take the necessary action to give effect thereto.”

40 Development Charge By-law No. 547-2004 Settlement of OMB Appeal

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (June 14, 2006) from the City Solicitor [Confidential Communication C.12(a)]. The following staff recommendations contained in the Recommendations Section of the report, and Schedule “A” to the report, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) Council endorse the settlement of the OMB appeals with respect to By-law No. 547-2004 on the basis set out in Schedule ‘A’ to this report; and
- (2) Council authorize and direct the City Solicitor to take all necessary action, including the execution of any agreements or minutes of settlement, to settle the remaining appeals to By-law No. 547-2004 on that basis.”

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

41 Other Items Considered by the Committee

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Councillor Cowbourne declared an interest in Item (g), entitled “Power Generating Facility - Port Lands - Ward 30, Toronto-Danforth”, contained in this Clause, in that her husband is employed by an independent electricity system operator which is directly responsible for the sale of hydro electricity in Ontario.

Administration Committee Report 4

1 Fair Wage Violation - Dram Electric Co. Ltd.

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

2 Proposed Amendments to the Fair Wage Policy Disqualification Process

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

3 2006 Access Equity and Human Rights (AEHR) Community Partnership and Investment Program (CPIP)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 Metropolitan Toronto Pension Plan Actuarial Report as at December 31, 2005

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

5 City of Toronto's Experience Using Remanufactured Toner Cartridges

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

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

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 New User Fees for Property Tax Calculation Statements and Increased User Fees for Tax Payment Details/Detailed Tax Statements

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

8 Cancellation of RFP No. 3412-05-3160 for the Provision of a Pilot Project for Publicly Available Wireless Local Area Networks (WLANS) at Nathan Phillips Square

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

9 Termination of Residential Lease for 736 Woburn Avenue (Ward 16 - Eglinton-Lawrence)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 481 University Avenue, Lease for Court Services (Ward 27 - Toronto-Centre Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Below-Grade Parking Access Options for the Redevelopment of the St. Lawrence Market North Property (Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12 Surplus Land Declaration and Proposed Closing of Public Lane Located East of Yonge Street, Extending South from Byng Avenue (Ward 23 - Willowdale)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also considered the following:

Communication:

- (June 16, 2006) from the North York Community Council [Communication 7(a)].

13 Sale of a Portion of 25 Canterbury Place and the Conveyance of Easements (Ward 23 - Willowdale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

14 Toronto Waterfront Revitalization Initiative Declaration as Surplus - Part of 2R Superior Avenue (Ward 6 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

15 Exchange of Lands By Way of Long-Term Ground Leases With the Toronto District School Board in Relation to a Portion of Don Russell Memorial Park and 400 Kipling Avenue (Ward 6 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

16 Declaration as Surplus - 200 Horner Avenue (Ward 6 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

17 Marijuana Growhouses Cost Recovery for Enforcement Activities

City Council on June 27, 28 and 29, 2006, amended this Clause by rescinding the following action taken by the Administration Committee:

“(1) requested the Executive Director, Municipal Licensing and Standards, to consult with Toronto Fire Services and other jurisdictions in Canada in terms of a cost recovery program whereby innocent property owners could be reimbursed for costs incurred as a result of enforcement activities and report back to the Administration Committee;”.

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

18 Electronic Filing By-law 2006 Municipal Election Financial Statements

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

19 Establishment of a Compliance Audit Committee for the 2006 Municipal Election

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

20 Councillors’ 2005 Office Expenses and Controls Surrounding Photocopier Charges to Councillors’ Accounts

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

21 City of Toronto Security Video Surveillance Policy

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

22 Other Items Considered by the Committee

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Audit Committee Report 2

1 External Audit of the City’s Auditor General’s Office

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

2 City of Toronto Audit Results – Year Ended December 31, 2005

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

3 2005 Audited Consolidated Financial Statements

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 Financial Statements and Audit Results for the Year Ended December 31, 2005 for Agencies, Boards and Commissions

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following additional Financial Statements and Audit Results for the Year Ended December 31, 2005, for Agencies, Boards and Commissions:

- Hummingbird Centre for the Performing Arts [Communication 20(a)(1)]; and
- Toronto Coach Terminal Inc. [Communication 20(a)(2)].

5 Community Centres - 2005 Audited Financial Statements and Summary Management Letter

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Boards of Management - Arenas - 2005 Audited Financial Statements and Summary Management Letter

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 2005 Financial Statements of Business Improvement Areas

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

8 Outstanding Audit Recommendations - Status Report

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (June 26, 2006) from the Auditor General [Communication 16(a)].
- Confidential revised Appendices “B” and “D” to the report (June 1, 2006) from the Auditor General [Confidential Communication C.3(a)]. These Appendices remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information related to the security of the property of the municipality or local board, litigation or potential litigation or are subject to solicitor-client privilege.

9 Resident Fees and Trust Funds Review - Homes for the Aged Division

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

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

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Other Items Considered by the Audit Committee

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Board of Health Report 4

1 2006 AIDS Prevention Community Program - Allocations

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

2 2006 Drug Prevention Community Investment Program - Allocations

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

3 Capacity Review Committee Final Report: Board of Health Response

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 Ionizing Radiation and Public Health in the City of Toronto (GTA) in Relation to the Refurbishment and Expansion of Nuclear Power Reactors and Facilities on Lake Ontario

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Community Services Committee Report 4

1 Amendment to Sole Source Contract 47010425 with M/A-COM

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

2 Request for Authority to Enter into an Agreement with St. John Ambulance (Toronto District) for the Rental of Decommissioned Ambulances

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

3 Increased Charge for Special Request Services Per Hour for Toronto Fire Services' Personnel for Services after Normal Business Hours

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 Toronto First Duty Phase 1 Final Report

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

5 Update on Best Start Funding and Principles for a Revised Service Plan

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Supporting Communities Partnership Initiative (SCPI) Update and Funding Recommendations

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Councillor Mihevc declared an interest in this Clause, in that his partner works with the East York East Toronto Family Resource Centre.

7 Recommendations Submitted by the Advisory Committee on Homeless and Socially Isolated Persons

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

8 Report of the Task Force on Modernizing Income Security for Working-Age Adults

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

9 Community Partnership and Investment Program - 2006 Allocation for Food Security Investment Program (FSIP), Social Development Investment Program (SDIP), and Snow Shovelling and Lawn Care Program

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 Increasing the Supply of Space Available for Community Use

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Community Partnership and Investment Program: Community Safety Investment Program (CSI) - 2006 Allocations

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12 Community Partnership and Investment Program: Community Service Partnership (CSP) - 2006 Allocations

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

13 Proceedings of the Tenant Forum held on March 9, 2006

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

14 Request for a Tenant Support Grant from Tenants of 467-469 Spadina Road (Ward 22 - St. Paul's)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

15 Appointment of Community Services Committee Representative to Children's Services Advisory Committee

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

16 Other Items Considered by the Committee

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Economic Development and Parks Committee Report 4

1 2006 Cultural Grants Recommendations Major Cultural Organizations (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

2 2006 Commercial Research Investment Program Allocation Recommendations (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

3 2006 Economic Development Sector Investment Program (EDSIP) and the Economic Sponsorship Initiatives (ESI) - Allocation Recommendations (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 2006 Community Festivals and Special Events Investment Program Allocation Recommendations (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

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

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Intention to Designate the Dundas West Business Improvement Area (BIA) (Ward 18 Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 Poll Results - Proposed Designation of the Bloor Street Business Improvement Area (BIA) (Ward 27 Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

8 Trademark Protection on the Names of City Produced Events “Cavalcade of Lights” and “WinterCity” (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

9 Toronto Broadcast Centre - 250 Front Street West

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 2006 Recreation Partnership and Investment Program Allocation Recommendations (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Deputy Mayor Bussin declared an interest in this Clause, in that her daughter is a sailing coach at the Etobicoke Yacht Club.

11 Development of a Formal Trailhead to the Lower Don River Parklands - Authority to Enter into an Easement Agreement 11 Redway Road (Ward 29 Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12 Appointment of One Member of the Economic Development and Parks Committee to the Children’s Services Advisory Committee

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

13 Other Items Considered by the Committee

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Planning and Transportation Committee Report 4

1 Mandatory Certification of Food Handlers - Update

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (June 9, 2006) from Kim McKinnon, Vice President, Ontario Region, Canadian Council of Grocery Distributors [Communication 6(a)].

2 Final Report - Application for Draft Plan of Subdivision Approval Application of Zoning By-law Amendment and Lifting the “h” 05 166169 STE 28 OZ West Don Lands (185 Eastern Avenue) Ward 28-Toronto Centre-Rosedale

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

3 Toronto Waterfront Revitalization Initiative Addendum to the West Don Lands Class Environmental Assessment Master Plan: River Street Extension and Bayview-River Unnamed Road Connection (Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 Design Review Panel Pilot Project

City Council on June 27, 28 and 29, 2006, amended this Clause:

- (1) in accordance with the following staff recommendation contained in the Recommendation Section of the report (June 14, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that the Pilot Areas outlined in this report be approved as part of the Procedures for the Design Review Panel Pilot Project contained in the staff report dated May 11, 2006, to the Planning and Transportation Committee.”; and

(2) by adding the following:

“That Deputy City Manager Fareed Amin be requested to submit a report to the Planning and Transportation Committee for its meeting to be held on September 5, 2006, in consultation with Deputy City Manager Sue Corke and the Deputy City Manager and Chief Financial Officer, on project thresholds, procedure and financial implications that will be established to determine the inclusion of municipal projects in the Design Review Panel Pilot Project during the Pilot Period beginning in 2007.”

Council also considered the following:

- Report (June 14, 2006) from the Chief Planner and Executive Director, City Planning [Communication 23(a)].

5 Technical Modification to Section 5.1.1 of the new Official Plan: Height and/or Density Incentives

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Draft City Planning Percent for Public Art Program Guidelines City-wide

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 Council’s Request to Introduce Separation Distances Between Holistic Centres, Adult Entertainment Parlours, Body-rub Parlours and Residential Zones In the Zoning Bylaws

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

8 Partial Settlement of Appeal of the New Official Plan

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (May 11, 2006) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.4(a)]. The following staff recommendations contained in the Recommendations Section of the report and Appendix “A” to the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) Council approve the proposed settlement of the appeal of the new Official Plan by the Urban Development Institute and the Greater Toronto Home Builders’ Association, in the form of the modification substantially as set out in Appendix ‘A’;
- (2) the City Solicitor be authorized to take any necessary actions at the continuing Ontario Municipal Board hearing to give effect to the proposed settlement; and
- (3) the appropriate City officials be authorized to execute any necessary related documentation including Minutes of Settlement, in a form satisfactory to the City Solicitor.”

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

9 Proposed Change to National Plumbing Code: Hot Water Delivery in Buildings

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 Appointment of Building Inspectors

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Licensing of Operators of Clothing Drop Boxes

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (April 26, 2006) from the City Solicitor [Confidential Communication C.5(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.

12 Age of Replacement Vehicles for Taxicabs

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

13 The Creation of, and Terms of Reference for a Consultation Group to Provide Input to Municipal Licensing and Standards Regarding Issues Pertaining to Toronto's Taxicab Industry

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

14 Safety Camera Systems in Taxicabs

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

15 Proposed Settlement of Appeals to the new Official Plan

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (May 29, 2006) from the Chief Planner and Executive Director, City Planning and the City Solicitor [Confidential Communication C.6(a)]. The following staff recommendations contained in the Recommendations Section of the report and Appendix "A" to the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

"It is recommended that:

- (1) Council approve the proposed settlement of certain appeals to the Official Plan, in the form of modifications substantially as set out in Appendix 'A';

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

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

16 Other Items Considered by the Committee

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Works Committee Report 4

1 Extension and Amendment of Agreement with CCI-TBN Toronto Inc. for the Operation of the Dufferin Organics Processing Facility Contract 47009308

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

2 Pedestrian Countdown Signals (All Wards)

City Council on June 27, 28 and 29, 2006, amended this Clause by adding the following:

“That, with respect to the installation of the pedestrian countdown signals, the General Manager, Transportation Services be requested to give high priority to those areas that have a high number of senior citizens, as determined by the Statistics Canada Census.”

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

3 Amendment of By-laws to Provide that Vehicles with a Disabled Parking Permit Displayed Not Be Allowed to Park in On-Street Parking Zones Designated Exclusively for Use by Buses or Delivery Vehicles (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 Toronto Waterfront Renewal: Port Lands Beautification - Cherry Street and Commissioners Street - Proposed Installation of Traffic Control Signals and Road Alterations (Ward 30, Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

5 Installation of Traffic Control Signals - Dupont Street and Edwin Avenue (Ward 18, Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Request for a Pedestrian Crossover - Coxwell Avenue in the Vicinity of 425 Coxwell Avenue (The Amik Plaza) (Ward 32, Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 Amendment to the Terms of Reference of the Toronto Cycling Committee - Membership

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

8 Large Trucks and Cyclist/Pedestrian Safety

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

9 Drain Grant Appeal - 164 Priscilla Avenue (Ward 13, Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 Assignment of Purchase Order No. 6017050 - Water Efficient Landscape Audits and Water Saving Program Services (All Wards)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Proposed Graffiti Abatement Strategy - "Clean Team" Operations - Anti-Graffiti Coatings (Wards 4, 5, 6, 14, 20, 22, 27, 36, 43 and 44)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12 Contract 05SD-05RD - Recommencement of Work - Reconstruction of TTC Track Allowance, Pavement, Sidewalk and Curb - Toronto and East York District – St. Clair Avenue East and West from Ferndale Avenue to Avenue Road (Ward 22, St. Paul’s)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (June 5, 2006) from the City Solicitor [Confidential Communication C.7(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.

13 Other Items Considered by the Committee

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Joint Planning and Transportation Committee and Works Committee Report 1

1 Residential Front Yard and Boulevard Parking: Municipal Code Chapter and Policy Considerations and Residential Front Yard Parking Through Zoning and Front Yard Parking Permits: Supplementary Report 2 – Comments from Community Councils and Public Consultation

City Council on June 27, 28 and 29, 2006, amended this Clause by:

- (1) referring Parts (B)(3), (B)(4) and (B)(5) contained in Article V, Subsection 918-130, to the General Manager, Transportation Services, with a request that he review the polling procedure with Members of Council and bring forward revised recommendations to the appropriate Standing Committee in September, 2006;
- (2) amending Part (A)(4) contained in Article V, Subsection 918-140 by adding the following:
 - “(i) any responses to legal enquiries respecting purchase and sale clearly indicate that existing front yard parking licences are not transferable and will require a new application from a new owner;
 - (ii) the response also advise that it is the responsibility of the new owner to ensure that the existing pad was installed legally;

- (iii) the application require the owner to waive MFIPPA requirements as a condition of obtaining a permit for a pad; and
- (iv) where there is an encroachment agreement, that encroachment be registered on title so that a new purchaser is aware of the conditions applied to the pad.”

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

2 Development Infrastructure Policy and Standards - Pavement Widths, Pedestrian Features, Utilities' Locations

City Council on June 27, 28 and 29, 2006, amended this Clause by adding the following:

“That the General Manager, Transportation Services and the Executive Director, Technical Services, be requested to review the design of sidewalk ramps leading to driveways, in association with the Toronto Pedestrian Committee, with a view to maximizing pedestrian accessibility and minimizing sidewalk slopes.”

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

Etobicoke York Community Council Report 5

1 Draft By-law to Close a part of the Public Highway known as Alcide Street, south of Codlin Crescent (Ward 1 - Etobicoke North)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

2 Injury of One Privately-Owned Tree - 23 Robinhood Road (Ward 4 - Etobicoke Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

3 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code 2280 Islington Avenue (Ward 2 - Etobicoke North)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

4 Application for Outdoor Café Encroachment at 352 Royal York Road (Ward 6 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

5 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code 265 Wincott Drive (Ward 4 - Etobicoke Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Refusal Report - Rezoning Application; Plan of Subdivision Applicant: Franco Romano, Action Planning Consultants 144-156 Rowntree Mill Road (Ward 7 - York West)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 Final Report - Rezoning Application; Applicant: Cornacchia Planning Services Inc. (Vince Cornacchia) – 2 Fieldway Road (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

8 Removal of Three (3) Privately-Owned Trees 81 Irwin Road (Ward 2 - Etobicoke North)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

9 Removal of One (1) Privately-Owned Tree 36 Mattice Road (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences - 12 Glamis Avenue (Ward 11 - York South-Weston)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 134 Medland Street (Ward 13 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 329 Durie Street (Ward 13 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (June 27, 2006) from John and Maria Rawski [Communication 29(a)].

13 Disabled Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 67 Somerset Avenue (Ward 17 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

14 Sale of a Portion of Alcide Street Road Allowance abutting 2095 Codlin Crescent (Ward 1 - Etobicoke North)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

15 Sale of Surplus Property Adjacent to 2107 and 2117 Codlin Crescent (Ward 1 - Etobicoke North)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

16 Sale of Surplus Property at the rear of 360 Evans Avenue (Ward 6 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

17 Front Yard Parking Survey Results - 449 Annette Street (Ward 13 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

18 Outdoor Café Encroachment - 2994 Bloor Street West (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

19 Outdoor Café Encroachment - 1755 Keele Street (Ward 12 - York South-Weston)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

20 Encroachment Application - 1492 St. Clair Avenue West (Ward 17 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

21 Proposed Parking Prohibitions on both sides of Norgrove Crescent (Ward 4 - Etobicoke Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

22 Boulevard Parking Agreement - 354 - 362 Olivewood Road Scaffold-Russ Dilworth Limited (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

23 Boulevard Parking Agreement - 363 Olivewood Road Donato and Nicola Cacciocarro (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

24 Boulevard Parking Agreement - Trutiak Holdings Limited 345 Munster Avenue (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

25 Reduction of Speed Limit from 50 km/h to 40 km/h on Roads in the Community north and east of the intersection of The Queensway and Royal York Road (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

26 Proposed Relocation of a Pedestrian Crossover - Park Lawn Road south of Hill Heights Road (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

27 Proposed Left Turn Prohibitions - Weston Road at the Driveway to 3514 Weston Road (Ward 7 - York West)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

28 Front Yard Parking - Survey Results 2035 Davenport Road (Ward 17 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

29 Front Yard Parking - Survey Results 41 Auburn Avenue (Ward 17 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

30 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code 248 Rexdale Boulevard (Ward 2 - Etobicoke North)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

31 Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code 250 The East Mall (Ward 5 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

32 Request for Approval of Variances from Chapter 215, Signs, of the former City of Toronto Municipal Code, 3275 Dundas Street West (Ward 13 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

33 Approval of Temporary Signage Permit for 3rd Annual Lakeshore Mardi Gras Festival (Ward 6 - Etobicoke-Lakeshore)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

34 Condition of Property at 179 John Street (Ward 11 - York South-Weston)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

35 Other Items Considered by the Community Council

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

North York Community Council Report 5

1 Request for Endorsement of Events for Liquor Licensing Purposes (Ward 9 - York Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

2 Request for Approval of a Variance from the former City of Toronto Sign Code No. 297, as amended, to Legalize an Electronic Message Display Sign at 27 Castlefield Avenue (Ward 15 - Eglinton-Lawrence)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (June 23, 2006) from Phil Woolridge, Senior Pastor, Castlefield Community Church [Communication 14(a)].

3 Request for Approval of a Variance from the former Borough of East York Sign By-law No. 64-87, as amended, for the Installation of an Illuminated Projecting Wall Sign at 65 Wicksteed Avenue, Unit 300 (Ward 26 - Don Valley West)

City Council on June 27, 28 and 29, 2006, 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 an Off-Premise Wall Sign at 5697 Yonge Street (Ward 24 - Willowdale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

5 Request for Approval of Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of two off-premise illuminated ground signs at 345 Wilson Avenue (Ward 10 - York Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Removal of One Privately-Owned Tree - 93 Donegall Drive (Ward 26 - Don Valley West)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 Injury of Three Privately-owned Trees – 305 Hendon Avenue (Ward 23 - Willowdale)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also considered the following:

- Report (June 23, 2006) from the General Manager, Parks, Forestry and Recreation [Communication 19(a)].

8 Ravine Permit Application to Remove 34 Trees and an Unspecified Number of Saplings within a Ravine Protected Area - 56 Sandringham Drive (Ward 16 - Eglinton-Lawrence)

City Council on June 27, 28 and 29, 2006, adopted the following:

“That:

- (1) the request for a Ravine Permit to remove 25 ravine protected trees at 56 Sandringham Drive be denied;
- (2) the request to remove the #147a + b - double-stemmed red maple - 35.5 and 36.7 cm dbh, and the #150 sugar maple - 77 cm dbh - be approved, subject to a planting plan being approved by the General Manager, Parks, Forestry and Recreation, of not less than 6 caliper trees and that planting be secured through a security deposit of \$7,000.00, and that planting be completed by October 15, 2006; and
- (3) further that the above request be conditional on the tennis court areas remaining as tennis courts for the next 10 years, and this be registered on title, subject to the satisfaction of the City Solicitor.”

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

9 Naming of Proposed Private Lane at 203, 205 and 215 Finch Avenue East (Ward 23 - Willowdale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 Designation of Fire Routes in the City of Toronto North York Community Council Area

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Removal of On-Street Parking Space for Persons with Disabilities - Broadway Avenue (Ward 25 - Don Valley West)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12 Installation of Stop Control - Braeside Road and Kappele Avenue (Ward 25 - Don Valley West)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

13 Removal of Turn Restriction - Doris Avenue at Grandview Way (Ward 23 - Willowdale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

14 Parking Prohibitions - Tangiers Road (Ward 8 - York West)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

15 Traffic Control Signals - Avenue Road at Highway 401 Eastbound Off Ramp (Ward 16 - Eglinton-Lawrence)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

16 Prohibited Turns - Harlandale Avenue at Senlac Road and Hendon Avenue at the driveway 82 metres west of Yonge Street (Ward 23 - Willowdale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

17 Heavy Truck Turn Lane Restriction - Alness Street at Steeles Avenue West (Ward 8 - York West)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

18 Parking Amendments - Wilmington Avenue, Overbrook Place to Kennard Avenue (Ward 10 - York Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

19 Intersection Stop Controls - Gilgorm Road at New Haven Drive (Ward 16 - Eglinton-Lawrence)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

20 Pedestrian Crossover Removal/Traffic Control Signal Installation - Avenue Road, 28 metres south of Roe Avenue (Ward 16 - Eglinton-Lawrence)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

21 Final Report - Part Lot Control Exemption Application - 06 132598 NNY 34 PL - George Tanacs - 73 Jonesville Crescent - Part 1 to Part 12 on Draft Reference Plan prepared by P. Salna Company Ltd. - Ontario Land Surveyors - Lot 15, R.P. 3662 (Ward 34 - Don Valley East)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

22 Final Report - Interim Control By-law Study - Request to Amend the Official Plan and Zoning By-law – 05 120876 NNY 26 TM - Bayview Institutions Area located east of Bayview Avenue, north of Eglinton Avenue East (Ward 26 - Don Valley West)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

23 Parking Prohibitions - Barberrry Place and Rean Drive (Ward 24 - Willowdale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

24 Ontario Municipal Board Hearing - Committee of Adjustment Application - 474 Cummer Avenue (Ward 24 - Willowdale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

25 Request to Amend the City of York Zoning By-law No. 1-83 for the Vaughan Road/Oakwood Avenue Area to Implement Appropriate Zoning for the Arts District - (Ward 15 - Eglinton-Lawrence)

City Council on June 27, 28 and 29, 2006, amended this Clause by deleting the Recommendation of the North York Community Council, and adopted instead the following recommendations contained in the communication (June 16, 2006) from the Etobicoke York Community Council:

“The Etobicoke York Community Council recommends that City Council:

- (1) adopt the following Resolution submitted by Councillor Palacio:

‘WHEREAS the areas in the vicinity of the intersection of Vaughan Road and Oakwood Avenue (Ward 15 – Eglinton-Lawrence) and Rogers Road and Oakwood Avenue (Ward 17 – Davenport) are designated as “Mixed Use Areas” in the new Official Plan; and

WHEREAS the area in the vicinity of Vaughan Road and Oakwood Avenue intersection is zoned Local Commercial/Residential Zone (LCR) in the City of York Zoning By-Law No. 1-83 and is located in Ward 15 (Eglinton-Lawrence); and

WHEREAS the area in the vicinity of Rogers Road and Oakwood Avenue intersection is zoned Local Commercial/Residential Zone (LCR) in the City of York Zoning By-Law No. 1-83 and the majority of this area is located in Ward 17 (Davenport); and

WHEREAS the present City of York Local Commercial/Residential Zone (LCR) which applies to these areas is very permissive in the range of permitted residential and commercial land uses, but may not permit the “arts studios” use defined within the City of York Zoning By-Law 1-83; and

WHEREAS the district has the highest concentration of persons involved in the arts in the City of Toronto (8 percent of the population); and

WHEREAS there have been requests from the local community to designate this district as an “Arts District”;

NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning be requested to:

- (1) review the zoning for these areas for designation as an “Arts District”;
- (2) introduce an amendment, if necessary, to the current Local Commercial/Residential Zone (LCR) zoning applying to these two areas which adds the “arts studio” use as defined in the City of York Zoning By-Law No. 1-83, as well as the “artists or photographers’ studio” and the “designer studio” and the “live-work unit” uses as defined in the City of Toronto Zoning By-law No. 438-86; and

- (3) issue public notice under the *Planning Act*, if necessary, for consideration of this By-law amendment at a Public Meeting at the Planning and Transportation Committee to be held on September 5, 2006.”; and
- (2) consider this Resolution with Report 5, Clause 25, of the North York Community Council.”

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

Council also considered the following:

Communication:

- (June 16, 2006) from the Etobicoke York Community Council [Communication 10(a)].

26 Demolition Application and Beautification Plan - 1145 Roselawn Avenue (Ward 15 - Eglinton-Lawrence)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

27 Report Request - Site Plan Application - Churchill- Basswood Developments Inc., 61, 65, 69 and 71 Churchill Avenue and 2, 4 and 6 Basswood Road (Ward 23 – Willowdale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

28 Other Items Considered by the Community Council

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Scarborough Community Council Report 5

1 Removal of One Privately-Owned Tree 341 Friendship Avenue (Ward 44 - Scarborough East)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

2 Request for Approval of a Variance from the Former City of Scarborough Sign By-law 22980, as amended, For One Ground Directional Information Sign at 1-71 Cataraqui Crescent (Ward 35 - Scarborough Southwest)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

3 Request for Approval of a Variance from the Former City of Scarborough Sign By-law 22980, as amended, For One Ground Directional Information Sign at 50-64 Firvalley Court (Ward 35 - Scarborough Southwest)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 Request for Approval of a Variance from the Former City of Scarborough Sign By-law 22980, as amended, For One Ground Directional Information Sign at 196-274 Leyton Avenue (Ward 35 - Scarborough Southwest)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

5 Request for Approval of a Variance from the Former City of Scarborough Sign By-law 22980, as amended, For Two Ground Signs at 1615 Ellesmere Road (Ward 38 - Scarborough Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

6 Proposed Heavy Truck Prohibition on Wadena Court (Ward 36 - Scarborough Southwest)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

7 Proposed Speed Limit Reduction on Elinor Avenue (Ward 37 - Scarborough Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

8 Proposed Through Traffic Prohibitions for Northbound Traffic on Wye Valley Road and for Southbound Traffic on Dundalk Drive at Ellesmere Road (Ward 37 - Scarborough Centre and Ward 40 - Scarborough Agincourt)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

9 Proposed Installation of Traffic Control Signals on Corporate Drive at Lee Centre Drive (West Intersection) (Ward 38 - Scarborough Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 Proposed Minor Street Stop Signs at Three New Intersections in the Rouge Neighbourhood (Ward 42 - Scarborough Rouge River)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Request for Direction Report 2 City Initiated Review File 05 169679 ESC 41 TM (Ward 41 - Scarborough Rouge River)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (May 30, 2006) from the Director, Community Planning, Scarborough District [Confidential Communication C.8(a)]. The following staff recommendations contained in the Recommendations Section of the report and 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 pertaining to litigation or potential litigation:

“It is recommended that City Council:

- (1) request the Town of Markham or the Region of York, as appropriate, to modify Town of Markham Official Plan Amendment (OPA) 144 and by-law 2005-250 as indicated in Attachment 3;

- (2) subject to a positive response from the Town of Markham and/or the Region of York to Recommendation (1), direct the City Solicitor to advise the OMB that the City withdraws its appeal of Town of Markham OPA 144 and its implementing By-laws, under the terms of settlement described in Appendix 3, and to attend at the OMB together with the appropriate staff if required, to present Council's position; and
- (3) forward a copy of this report to the Steeles Avenue Sub-Committee for information."

[Attachments 1, 2 and 3 will be noted at the end of the Clause.]

12 Final Report OPA and Rezoning Application 04 154072 ESC 37 OZ Aldebrain Attendant Care Support Services of Toronto 1236 Birchmount Road and 2155 Lawrence Avenue East Wexford Employment District (Ward 37 - Scarborough Centre)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

13 Final Report OPA and Rezoning Application 04 135572 ESC 36 OZ 1707546 Ontario Inc., 3771-3775 St. Clair Avenue East Cliffcrest Community (Ward 36 - Scarborough Southwest)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

14 Final Report Rezoning Application 05 187171 ESC 39 OZ 1632495 Ontario Inc., 2716-2718 Kennedy Road L'Amoreaux Community (Ward 39 - Scarborough Agincourt)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

15 Final Report OPA and Rezoning Application 05 141909 ESC 40 OZ Wishing Well Acres Baptist Church 3143, 3161 and 3163 Sheppard Avenue East Sullivan Community (Ward 40 - Scarborough Agincourt)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

16 Final Report Official Plan Amendment Application 04 131709 000 00 OZ Rezoning Application 04 102315 ESC 44 OZ Janice and Paul Slighte - 53 Old Kingston Road West Hill Community (Ward 44 - Scarborough East)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

Council also considered the following:

- 10 form letters (undated) submitted by Councillor Gay Cowbourne, Ward 44, Scarborough East [Communication 27(a)].

17 Permanent Gallery Former Scarborough Mayors

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

18 Other Items Considered by the Community Council

City Council on June 27, 28 and 29, 2006, received this Clause, for information.

Toronto and East York Community Council Report 5

1 Requests for Endorsement of Events for Liquor Licensing Purposes (Wards 19 and 20 – Trinity-Spadina; Wards 21 and 22 – St. Paul’s and Wards 27 and 28 – Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, amended this Clause by amending the recommendations of the Toronto and East York Community Council by:

- (1) adding the following Parts (c) to (i) to Recommendation (2):

“(c) Taste of South Asia taking place on Gerrard Street East between Greenwood Avenue and Coxwell Avenue on August 19 and 20, 2006, and advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following licensed establishments being granted a liquor licence extension to sell and serve alcohol on an outside area for the duration of this event:

Bar - Be - Que - Hut (Pride of India), 1455 Gerrard Street East
Kissan Restaurant, 1411 Gerrard Street East
Famous Indian Cuisine, 1437 Gerrard Street East
New Haandi 2000 Restaurant, 1401, Gerrard Street East
Regency Restaurant, 1423 Gerrard Street East
Siddhartha Restaurant, 1450 Gerrard Street East

Skylark Restaurant, 1433 Gerrard Street East
Udupi Palace, 1460 Gerrard Street East
Lahore Tika, 1365 Gerrard Street East;

(d) The Toronto African Dance Festival taking place at Nathan Phillips Square, 100 Queen Street West, and Yonge and Dundas Square on July 22 and 23, 2006;

(e) Car Free Kensington Sunday Festivities taking place in Kensington Market, and advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following establishments being granted a liquor licence extension to sell and serve alcohol in an outside area for the following dates and times:

Last Temptation, 12 Kensington Avenue – 12:00 to 7.00 p.m.

Lola's, 40 Kensington Avenue – 12:00 noon to 7.00 p.m.

Café Kara, 51 Kensington Avenue – 12:00 noon to 7:00 p.m.

Graffiti's, 170 Baldwin Avenue – 12.00 noon to 7:00 p.m.

Planet Kensington, 197 Baldwin Avenue – 12.00 noon to 7:00 p.m.

The Embassy, 245 Augusta Avenue – 12:00 noon to 7:00 p.m.

Jumbo Empanadas, 245 Augusta Avenue – 12:00 noon to 10:00 p.m.

La Palette, 256 Augusta Avenue -12:00 noon to 10.00 p.m.

Torrito, 276 August Avenue – 12:00 noon to 10:00 p.m.;

(f) the 10th Annual Moss Park Community Pride Day taking place behind the Toronto Housing Corporation Apartments facing Queen Street East on August 18, 2006;

(g) Ward's Island Recreation Association's Gala Day Weekend taking place on Ward's Island on August 5, 6 and 7, 2006;

(h) the Cabbagetown Short Film and Video Festival taking place at the Winchester Street Theatre, 80 Winchester Street, on Friday, September 8, 2006; and

(i) Molson Canadian Pit Party taking place on John Street, from Adelaide Street West to Richmond Street West, on July 6, 2006, from 6:00 p.m. to 1:00 a.m.”; and

(2) adding the following Part (iii) to Recommendation (3)(b):

“(iii) the 13th Annual Krinos Taste of the Danforth, to be held on Danforth Avenue, between Broadview Avenue and Jones Avenue, on:

Friday, August 11, 2006, from 6:00 p.m. to 2:00 a.m., Saturday, August 12, 2006;
Saturday, August 12, 2006, from 12:00 noon to 2:00 a.m., Sunday, August 13, 2006; and
Sunday, August 13, 2006, from 12:00 noon to 8:00 p.m.;

being granted an extension to the Special Occasion Permits in order to sell and serve alcohol at the alcohol gardens until 2.00 a.m. for the duration of the event;”.

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

Council also considered the following:

Communications:

- (May 29, 2006) from Joy Nneji, President/Artistic Director, Toronto African Dance Festival [Communication 11(a)(1)];
- (undated) from Shamez Amlani on behalf of P.S. Kensington [Communication 11(a)(2)];
- (June 17, 2006) from the Emily Phillips, General Manager, Moss Park Festival and Aid Foundation [Communication 11(a)(3)];
- (March 15, 2006) from Chris Webster, Facilities Chair, Ward’s Island Recreation Association [Communication 11(a)(4)]; and
- (June 27, 2006) from Gina Dineen, Founder and Co-ordinator of the Cabbagetown Short Film and Video Festival [Communication 11(a)(5)].

2 Designation under Part V of the *Ontario Heritage Act* - Union Station Heritage Conservation District (Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

Communications:

- (June 12, 2006) from Michael Stewart, Goodmans LLP, Barristers and Solicitors [Communication 12(a)];
- (June 23, 2006) from Mark R. Flowers, Davies Howe Partners [Communication 12(b)];
- (June 22, 2006) from George H. Rust-D’Eye, Weir Foulds LLP, Barristers and Solicitors [Communication 12(c)];

- (June 27, 2006) from Mark R. Flowers, Davies Howe Partners [Communication 12(d)]; and
- (June 27, 2006) from Mark R. Flowers, Davies Howe Partners [Communication 12(e)].

3 Designation under Part V of the *Ontario Heritage Act* - Lyall Avenue Heritage Conservation District (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

4 City Initiated Repeal of By-law No. 13409, The University Avenue By-law and Amending By-laws, respecting Land Fronting or Abutting a Portion of University Avenue (Ward 20 - Trinity-Spadina and Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

5 Request for Direction Report - Official Plan and Zoning Review in the West Queen West Triangle Area (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, amended this Clause by:

- (1) amending the staff recommendations contained in the Recommendations Section of the report (May 30, 2006) from the Director, Community Planning, Toronto and East York District, by:

- (a) inserting in Recommendation (1), after the words “Toronto and East York Community Council”, the words “by its September 2006 meeting”, so that Recommendation (1) now reads as follows:

“(1) direct the Director, Community Planning, Toronto and East York District, to report to Toronto and East York Community Council, by its September 2006 meeting, on the proposed amendments to the Garrison Common North Secondary Plan and the Garrison Common North Part II Plan generally in keeping with the principles outlined in this report;”;

- (b) deleting Recommendation (5) and inserting instead the following new Recommendation (5):

- “(5) direct the General Manager, Parks, Forestry and Recreation to report to the Administration Committee on July 4, 2006, regarding the collecting of cash-in-lieu for parkland, as opposed to land, from any development in the West Queen West Triangle, identify the minimum number of hectares of land required to fulfill the condition for lifting the ‘H’ and options for acquisition of such lands;”;
- (c) deleting Recommendation (8) and inserting instead the following new Recommendation (8):
- “(8) request the Executive Director of Facilities and Real Estate Services to report to the September 5, 2006 meeting of the Administration Committee on options for relocating the offices of the Public Health Division which are currently located in the Carnegie Library at 1115 Queen Street West, including options for securing suitable replacement space in the proposed developments within the West Queen West Triangle;”; and
- (d) deleting Parts (a) and (b) from Recommendation (10) and inserting instead the following new Parts (a) and (b):
- “(a) securing the acquisition and construction of the Sudbury Street extension as outlined in this report; and
- (b) securing the acquisition of appropriate parkland as outlined in this report; and”;

so that Recommendation (10) now reads as follows:

- “(10) direct the Director, Community Planning, Toronto and East York District, to ensure that the proposed Amendment to the Zoning By-law to permit increased development, be subject to a holding provision and symbol ‘H’ as authorized by s.36 of the *Planning Act*, and that removal of the ‘H’ be subject to fulfillment of the following conditions:
- (a) securing the acquisition and construction of the Sudbury Street extension as outlined in this report; and
- (b) securing the acquisition of appropriate parkland as outlined in this report; and”;

- (2) adding the following:

“That:

- (a) Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (June 23, 2006) from the Chief Corporate Officer:

‘It is recommended that:

- (1) where possible, the owner(s) of any of the lands required for the Sudbury Street extension, attached hereto as Schedule A - Map 1 (the “Sudbury Street Extension Lands”) be required to convey such lands to the City, for nominal consideration, as a condition of development approval;
- (2) the Chief Corporate Officer be authorized to enter into negotiations for the purchase of all or part of the Sudbury Street Extension Lands with the various owners of such lands;
- (3) authority be granted to initiate the expropriation process, if necessary, for all or part of the Sudbury Street Extension Lands;
- (4) authority be granted to serve and publish, if necessary, Notices of Application for Approval to Expropriate all or part of the Sudbury Street Extension Lands, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City’s position and to report the Inquiry Officer’s recommendations to City Council for its consideration; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’;

- (b) Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (June 27, 2006) from the Chief Planner and Executive Director, City Planning:

‘It is recommended that Council:

- (1) implement zoning in the West Queen West Triangle generally as outlined in this report, including:
 - (a) limiting residential uses in the first floor of buildings;
 - (b) specifying performance standards for minimum amounts of non-residential uses per site;
 - (c) identifying locations where a certain percentage of at-grade uses must be non-residential; and
 - (d) considering artist live/work units to be non-residential units; and
- (2) request the Chief Planner to consult with appropriate City staff on financial incentives to achieve the objectives for this area.’ ”

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

Council also considered the following:

- Report (June 23, 2006) from the Chief Corporate Officer [Communication 22(c)]; and
- Report (June 27, 2006, from the Chief Planner and Executive Director, City Planning [Communication 22(d)].

Communications:

- (June 26, 2006) from David Bronskill, Goodmans LLP [Communication 22(a)]; and
- (June 27, 2006) from Ron Kanter, Gardiner Roberts LLP [Communication 22(b)].

6 Request for Direction Report - Official Plan Amendment and Rezoning Application - 48 Abell Street and 1199 Queen Street West (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (June 26, 2006) from David Bronskill, Goodmans LLP [Communication 22(a)].

7 Request for Direction Report - Ontario Municipal Board Appeal - Official Plan Amendment and Rezoning Application - 1171 and 1171R Queen Street West (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (June 26, 2006) from David Bronskill, Goodmans LLP [Communication 22(a)]; and
- (June 27, 2006) from Ron Kanter, Gardiner Roberts LLP [Communication 22(b)].

8 Ontario Municipal Board Settlement Report – 70 The Esplanade, 6-16 Church Street and 51-61 Front Street East; And Intention to Designate under the *Ontario Heritage Act* and Authority to Enter into a Heritage Easement Agreement – 70 The Esplanade and 6 Church Street (Ward 28 – Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

9 Liberty Village Area Study (Ward 14 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

10 College Street Revitalization Project – Pedestrian Clearway Pilot (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

11 Inclusion on the City of Toronto Inventory of Heritage Properties - 2201 Dundas Street West (Merchants Bank of Canada Branch) (Ward 14 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

12 Inclusion on the City of Toronto Inventory of Heritage Properties - 60 Atlantic Avenue (St. David's Wine Growers Company Building) (Ward 14 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

13 Inclusion on the City of Toronto Inventory of Heritage Properties - 1219 Dufferin Street (Dufferin Street Baptist Church) (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

14 Inclusion on the City of Toronto Inventory of Heritage Properties and Intention to Designate under Part IV of the *Ontario Heritage Act* - 260 Richmond Street West (Tip Top Tailors Warehouse) (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

15 Inclusion on the City of Toronto Inventory of Heritage Properties - 857 King Street West (Edward McNamara Building) (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

16 Inclusion on the City of Toronto Inventory of Heritage Properties – 516, 518 and 520 Wellington Street West (Ward 20 – Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, amended this Clause by:

(1) deleting the following Part (a) from Recommendation (1) of the Toronto and East York Community Council:

“(a) 516 Wellington Street West (Henry Howson House);” and

(2) re-numbering the balance of the recommendation accordingly,

so that Recommendation (1) of the Toronto and East York Community Council now reads as follows:

“(1) include the following two properties on the City of Toronto Inventory of Heritage Properties:

- (a) 518 Wellington Street West (Eude Saunders House); and
- (b) 520 Wellington Street West (Sarah Schofield House); and”.

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

17 Inclusion on the City of Toronto Inventory of Heritage Properties and Intention to Designate under Part IV of the *Ontario Heritage Act* - 55 John Street (Metro Hall Council Chambers) (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

18 Demolition of a Residence Located Within the North Rosedale Heritage Conservation District and Approval of a Replacement Building - 118 Roxborough Drive (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

19 Inclusion on the City of Toronto Inventory of Heritage Properties - 420 Bloor Street East (Dominion Bank Branch) (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

20 Inclusion on the City of Toronto Inventory of Heritage Properties - 90 Harbour Street (Workmen’s Compensation Board Building) (Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

21 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 962 Bathurst Street (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

22 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code – 313 Eglinton Avenue West (Ward 22 - St. Paul’s)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

23 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 241 Yonge Street (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

24 Residential Demolition Applications - 477, 479 and 481 Queen Street West (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

25 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 18 Marmot Street (Ward 22 - St. Paul’s)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

26 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for Two Vehicles at 50 Forest Hill Road (Ward 22 - St. Paul’s)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

27 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Vehicle at 93 Lonsdale Road (Ward 22 - St. Paul’s)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

28 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking at 910 Carlaw Avenue (Ward 29 - Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

Communications:

- (June 13, 2006) from Margaret Wood [Communication 13(a)]; and
- (June 15, 2006) from Michael Fox [Communication 13(b)].

29 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Vehicle at 52 Pine Crescent (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

30 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking at 48 and 50 Leuty Avenue (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

31 Maintenance of a Wrought Iron Fence with Gates - 31 Northumberland Street (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

Council also considered the following:

- Report (June 20, 2006) from the General Manager, Transportation Services [Communication 15(a)].

32 Maintenance of Security Gates, Window Ledges and a Planter - 822-828 Richmond Street West (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

33 Maintenance of an Encroaching Garage – Public Laneway Rear of 1577 Dupont Street (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

34 Reconstruction of an Encroaching Basement Level Garage - Pendrith Street Flank of 883 Shaw Street (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

35 Installation and Maintenance of Planters and Benches - Both Sides of Queen Street East, east of Carroll Street to Empire Avenue (630-825 Queen Street East) - Riverside Business Improvement Area (Ward 30 - Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

36 Installation and Maintenance of Seasonal Planters within the Outer Boulevard, between 1826 and 2485 Queen Street East - Beaches Business Improvement Area (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

37 Request for Fence Exemption - 372 Russell Hill Road (Ward 22 - St. Paul's)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

38 Request for Fence Exemption - 209 Westview Boulevard (Ward 31 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

39 Removal of One Privately Owned Tree - 20 Mann Avenue (Ward 22 - St. Paul's)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

40 Removal of One City Owned Tree - 372 Davisville Avenue (Ward 22 - St. Paul's)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

41 Removal of One Privately Owned Tree - 163 Boulton Avenue (Ward 30 - Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

42 Revisions to Section 37 Agreement - 225 Wellesley Street East (Winchester Square) Site Plan Application (Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

43 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 14 Roncesvalles Avenue (Ward 14 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

44 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 222 Spadina Avenue (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

45 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 299 Queen Street West (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

46 Variances from a Site Specific Permission in Chapter 297, Signs, of the former City of Toronto Municipal Code – 10 Dundas Street East (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

47 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 27 Front Street East (Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

48 Temporary Road Occupation to Establish a Construction Staging Area on Renfrew Place - 165 John Street (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

49 Naming of Proposed Public Street located East of Bathurst Street and North of Housey Street (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

50 Naming of Public Lane South of Davenport Road extending between Ossington Avenue and Shaw Street (Ward 21 - St. Paul's)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

51 Reduction of Speed Limit to 40 km/h - Fern Avenue and Galley Avenue (between Roncesvalles Avenue and Sunnyside Avenue) (Ward 14 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

52 Reduction of Speed Limit to 40 km/h - Machockie Road, Hutton Avenue and Treadway Boulevard between Plains Road and O'Connor Drive (Ward 31 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

53 Proposed Installation of Speed Bumps in Public Lane System bounded by Emerson Avenue, Armstrong Avenue, Dufferin Street and Wallace Avenue (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

54 Proposed Installation of Speed Bumps in East-West Public Lane bounded by Harbord Street, Manning Avenue, Clinton Street Public School and Clinton Street (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

55 Evaluation for the Installation of Speed Humps - First Avenue, between Broadview Avenue and Logan Avenue (Ward 30 - Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

56 Evaluation for the Installation of Speed Humps - Leslie Street, between Queen Street East and Gerrard Street East (Ward 30 - Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

57 Evaluation for the Installation of Speed Humps – Bertmount Avenue, between Queen Street East and Dundas Street East (Ward 30 - Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

58 Speed Hump Poll Results - Osler Street, from Dupont Street to Cariboo Avenue (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

59 Speed Hump Poll Results - Lewis Avenue, between Eastern Avenue and Queen Street East (Ward 30 - Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

60 Speed Hump Poll Results - Cedarvale Avenue, between Strathmore Boulevard and Sammon Avenue (Ward 31 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

61 Request to Introduce a “School Bus Loading Zone” on the south side of Wright Avenue fronting Fern Avenue Public School (Ward 14 - Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, amended this Clause by deleting staff Recommendations (1) and (2) contained in the Recommendations Section of the report (May 26, 2006) from the Director, Transportation Services, Toronto and East York District, and inserting instead the following:

- “(1) the existing parking prohibition in effect from 9:30 a.m. to 11:00 a.m., from 1:30 p.m. to 3:00 p.m., and from 4:00 p.m. to 5:00 p.m., Monday to Friday, on the south side of Wright Avenue between a point 134 metres east of Roncesvalles Avenue and a point 128.5 metres further east, be amended to operate from 9:30 a.m. to 11:30 a.m., from 1:30 p.m. to 3:00 p.m., and from 4:00 p.m. to 5:00 p.m., Monday to Friday, on the south side of Wright Avenue, between a point 134.1 metres east of Roncesvalles Avenue and a point 70.9 metres further east and between a point 225 metres east of Roncesvalles Avenue and a point 38 metres further east;
- (2) the existing maximum fifteen-minute parking regulation in effect from 8:30 a.m. to 9:30 a.m., from 11:30 a.m. to 1:30 p.m. and from 3:00 p.m. to 4:00 p.m., Monday To Friday, on the south side of Wright Avenue, between a point 134 metres east of Roncesvalles Avenue and a point 128.5 metres further east, be amended to operate between a point 134.1 metres east of Roncesvalles Avenue and a point 70.9 metres further east and between a point 225 metres east of Roncesvalles Avenue and a point 38 metres further east;”.

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

62 Installation of All-way “Stop” Sign Control - Glebemount Avenue and Virginia Avenue (Ward 31 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

63 Installation of “Stop Signs” on Various Streets - Topham Park Community Traffic Management Study (Ward 31 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, amended this Clause by amending the recommendations of the Toronto and East York Community Council by:

- (1) deleting from Recommendation (1)(a) the street name “Furnival Road” and inserting instead the street name “Topham Road”, so that Recommendation (1)(a) now reads as follows:
- “(a) northbound on Valor Boulevard at Topham Road;”;
- (2) correcting the spelling of the street name “Galbraith Avenue” in Recommendation (2), so that it now reads as follows:

“(2) ‘Stop’ signs be installed northbound and southbound on Westview Boulevard at Galbraith Avenue;”; and

(3) deleting Recommendation (3) and inserting instead the following:

“(3) ‘Stop’ signs be installed northbound and southbound on Valor Boulevard at Furnival Road;”.

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

64 Temporary Amendments to Traffic and Parking Regulations Required in Connection with the 2006 Molson Grand Prix of Toronto Race (Wards 19 and 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

65 Proposed Installation of Traffic Control Signals - Dupont Street, between Bathurst Street and Spadina Road (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

66 Proposed Installation of Traffic Control Signals - Queen Street West and St. Patrick Street (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

67 Proposed Installation of Traffic Control Signals - Queen Street West and Portland Street (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

68 Installation of On-Street Parking Spaces for Persons with Disabilities (Ward 14 - Parkdale-High-Park; Ward 18 - Davenport; and Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

69 Provision of a Designated On-street Disabled Loading Zone - Front Street West, north side, between Simcoe Street and John Street, fronting Premises 200 (WSIB) (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

70 Provision of Designated On-street Loading Zones for Disabled Persons - James Street, south of Albert Street and Albert Street, east of Bay Street (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

71 Proposed Amendments to Parking Regulations – Gladstone Avenue, between Cross Street and Waterloo Avenue (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

72 Introduction of Overnight On-Street Permit Parking on the West Side of Braemar Avenue, between Chaplin Crescent and College View Avenue (Ward 22 - St. Paul's)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

73 Introduction of Trial 2:00 a.m. to 6:00 a.m., Friday to Monday Standing Prohibition - Richmond Street West and Adelaide Street West, between University Avenue and Spadina Avenue (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

74 Prohibition of Parking, rear of the Grand Hotel and Suites, fronting 225 Jarvis Street - George Street, west side, between Shuter Street and Dundas Street East (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

75 Prohibition of Parking - Jarvis Street, north and south of Sirman Lane (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

76 Prohibition of Parking - Cosburn Avenue, south side, from Coxwell Avenue to east of Fairside Avenue (Ward 31 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

77 Cash Payment-in-lieu of Parking - 1020 Kingston Road (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

78 Removal of Commercial Loading Zone Flanking 712 College Street - Montrose Avenue (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

79 Provision of a Pick-up and Drop-off Area with a Fifteen Minute Maximum Parking Limit - Canniff Street, north side, from Strachan Avenue to Douro Street (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

80 Amendment to the Hours of Operation associated with Student Pick-up/Drop-off Area in front of Hydrokids Daycare - Orde Street, north side, west of Murray Street (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

81 Introduction of One-Hour Parking Regulation - Casimir Street, between Dundas Street West to the north end of Casimir Street (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

82 Introduction of One-Hour Parking - O'Connor Drive, west side, between Skopje Gate and Northline Road (Ward 31 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

83 Prohibition of Heavy Trucks from 7:00 p.m. to 7:00 a.m. - Shuter Street, between Parliament Street and Jarvis Street (Wards 27 and 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

84 Proposed Alteration to the Intersection - Adelaide Street East and Parliament Street (Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

85 Curb Realignment - Dundas Street East at its intersection with Jones Avenue and Dagmar Avenue (Ward 30 - Toronto-Danforth)

City Council on June 27, 28 and 29, 2006, postponed consideration of this Clause to its next regular meeting on July 25, 2006.

86 Minor Adjustments to the St. George Street Revitalization Plan - St. George Street, from College Street to Bloor Street West (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

87 Toronto Waterfront Revitalization - West Don Lands Precinct Surplus Land Declaration and Proposed Closing and Leasing of Four Untravelled Public Lanes located within the Precinct (Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

88 Proposed Bicycle Lanes - Strachan Avenue, from Fleet Street to a point approximately 30 metres north of King Street West (Ward 19 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

89 Use of Nathan Phillips Square: Cavalcade of Lights - November 24, 25 and December 2, 9 and 16, 2006 (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

90 Use of Nathan Phillips Square: New Year's Eve – December 31, 2006 (Ward 27 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

91 Sale of One Inch Strip of Land Between 112 and 114 Kingston Road (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

92 Implementation of “No Stopping Anytime” prohibition - Cariboo Avenue, north and south sides, between Osler Street and West end of Cariboo Avenue (Ward 18 - Davenport)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

93 Road Alterations and Traffic Regulations for the St. Clair Avenue West Transit Improvement Project – St. Clair Avenue between Tweedsmuir Avenue and Vaughan Road (Ward 21 - St. Paul’s)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

94 Ontario Municipal Board Hearing - 342 Lee Avenue (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

95 Ontario Municipal Board Hearing - 649 Woodbine Avenue (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

96 Ontario Municipal Board Hearing - 2386 Gerrard Street East (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

97 Noise By-law Exemption for King and Queen Festival and Pan Alive as Part of the 2006 Toronto Caribbean Carnival (Caribana) Festival (Ward 14 – Parkdale-High Park)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

98 Review of Residential and Commercial Traffic, Parking and Pedestrian Safety - Avenue Road, Bloor Street West, Bedford Road and Prince Arthur Avenue (Ward 20 - Trinity-Spadina)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

99 Ontario Municipal Board Hearing – 1982 Queen Street East (Ward 32 - Beaches-East York)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

100 Ontario Municipal Board Hearing - 275 King Street East (Ward 28 - Toronto Centre-Rosedale)

City Council on June 27, 28 and 29, 2006, adopted this Clause without amendment.

101 Other Items Considered by the Community Council

City Council on June 27, 28 and 29, 2006, postponed Item (d), entitled “Compensation Review: Elected Officials”, contained in this Clause, to its next regular meeting on July 25, 2006.

The balance of this Clause was received, for information.

Councillor Shiner declared an interest in Item (b), entitled “Intention to Designate under Part IV of the *Ontario Heritage Act*, Approval of Alterations to a Heritage Building and Authority to Enter into a Heritage Easement Agreement – 570 King Street West (Toronto Silver Plate Building) (Ward 20 – Trinity-Spadina)”, contained in this Clause, in that his family has an interest in property in the immediate area.

Enquiry and Answer:

(a)(1) (June 16, 2006) Enquiry from Councillor Michael Walker, regarding the Sole Source Contract to Bombardier for New Subway Cars.

(a)(2) (June 23, 2006) Answer from Mayor Miller.

The Enquiry (June 16, 2006) from Councillor Michael Walker and the Answer to the Enquiry (June 23, 2006) from Mayor Miller, were received.

Notices of Motions**F(1) Protection of Individuals at Toronto City Hall and Nathan Phillips Square**

Moved by Councillor Pitfield, seconded by Councillor Stintz

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

WHEREAS Councillor Thompson was assaulted; and

WHEREAS panhandling is increasingly becoming a problem throughout the City;

NOW THEREFORE BE IT RESOLVED THAT City Council:

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

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

F(2) 3030 Bloor Street West (Kingsway Theatre) – Intention to Designate under Part IV of the *Ontario Heritage Act* – Ward 5 (Etobicoke-Lakeshore)
Moved by Councillor Milczyn, seconded by Councillor Lindsay Luby

“**WHEREAS** the property located at 3030 Bloor Street West contains the Kingsway Theatre, which has design or physical value as a representative example of a movie theatre built between World Wars I and II with features of Art Deco styling, and has contextual value as a local landmark on Bloor Street West in the Kingsway neighbourhood; and

WHEREAS the Toronto Official Plan states that significant heritage resources will be conserved; and

WHEREAS this is an urgent motion as the property is for sale and, given that it is a commercial property, it has no protection from demolition;

NOW THEREFORE BE IT RESOLVED THAT following consultation with the Toronto Preservation Board at its meeting scheduled for June 22, 2006, Council of the City of Toronto give notice of its intention to designate the property at 3030 Bloor Street West (Kingsway Theatre) under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

Council also considered the following:

Communications:

- (June 12, 2006) from Janice Etter, Chair, Etobicoke York Community Preservation Panel [Communication 8(a)]; and
- (June 23, 2006) from the Toronto Preservation Board [Communication 8(b)].

I(1) City of Toronto - Street Needs Assessment Results
Moved by Councillor Ootes, seconded by Councillor Kelly

“**WHEREAS** on April 19, 2006, the City of Toronto conducted its first ever Street Needs Assessment; and

WHEREAS the full findings of the Street Needs Assessment, along with an in-depth analysis of the data will be reported to City Council in July 2006; and

WHEREAS it would be very straightforward and simple for City staff to prepare a report to City Council on just the actual number of homeless people who were surveyed on April 19, 2006; and

WHEREAS the Community Services Committee will next meet on June 8, 2006, and City Council will next meet on June 27, 28 and 29, 2006;

NOW THEREFORE BE IT RESOLVED THAT the General Manager, Shelter, Support and Housing Administration, be requested to prepare a preliminary report for the June 8, 2006 Community Services Committee, containing the number of homeless people who were surveyed on April 19, 2006, resulting in this preliminary report being considered by City Council at its meeting of June 27, 28, and 29, 2006;

AND BE IT FURTHER RESOLVED THAT the full report be considered by City Council at its July 25, 26 and 27, 2006 meeting.”

Disposition:

This Motion was withdrawn at City Council on June 27, 28 and 29, 2006.

I(2) Hiring of Relatives of Members of Council in Council Offices

Moved by Councillor Del Grande, seconded by former Councillor Altobello

“**WHEREAS** in June 2000, City Council adopted the policy that states ‘no employment of relatives of Members of Council shall be permitted within Councillors’ offices and the Mayor’s offices’; and

WHEREAS during the current meeting of City Council, we will consider Policy and Finance Committee Report 4, Clause 1, headed ‘The Hiring and Appointment of Relatives of Members of Council to City of Toronto Staff and Agencies, Boards and Commissions’; and

WHEREAS the report currently before Council contemplates an exemption of presently held positions for the list of job titles included in the Integrity Commissioner’s report; and

WHEREAS in June 2000, Council appears to have overlooked the fact that an Ontario Human Rights Code violation may be forced if the policy adopted at that time requires the termination of a long-term employee solely on the grounds that their spouse exercised their democratic right to run for elected office and was successful;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council amend the June 2000 policy to allow Council Office staff, whose relative as defined in the June 2000 Council policy, becomes a member of Council, be grandparented and permitted to continue their employment with their existing Councillor (to the end of the Council term).”

Disposition:

City Council on June 27, 28 and 29, 2006, referred this Motion to the Integrity Commissioner to consider the implications of the suggested policy change, and report directly to Council for its meeting on July 25, 2006.

- J(1) Investigation by the Integrity Commissioner into the actions and conduct of the Chair of the TTC before, during and after the illegal wildcat strike on May 29th, including the discussions that took place with the Transit Union**
Moved by Councillor Stintz, seconded by Councillor Del Grande

“**WHEREAS** the Amalgamated Transit Union Local 113 performed an illegal wildcat strike on May 29, 2006, shutting down the entire Toronto Transit Commission system; and

WHEREAS over 700,000 TTC riders were impacted by the illegal strike; and

WHEREAS thousands of commuters were stranded at bus stops throughout the City waiting for a bus that never arrived; and

WHEREAS no prior notice or advance warning was given to the millions of commuters that were affected by this illegal strike; and

WHEREAS the illegal strike resulted in millions of dollars in lost productivity; and

WHEREAS Torontonians have lost confidence in the TTC, as a result of the illegal strike; and

WHEREAS Chief General Manager Rick Ducharme resigned on June 6, 2006, citing political interference by the Chair of the Toronto Transit Commission; and

WHEREAS several Councillors were barred from a TTC meeting on June 7, 2006, during a discussion about the allegations of political interference and the resignation of the Chief General Manager; and

WHEREAS several members of the Mayor’s staff were privy to the discussions that took place during the June 7, 2006 TTC meeting; and

WHEREAS the Chief General Manager has publicly revealed that a secret meeting had taken place between the TTC Union Executive and the Chair of the TTC, regarding the collective bargaining agreement; and

WHEREAS it is not clear how the Chair of the TTC was involved in the illegal strike and what was negotiated during private meetings with Transit Union Executives; and

WHEREAS the illegal wildcat strike and the weekly threats of more illegal job action by the Transit Union, combined with the allegations of political interference are serious and require a full and comprehensive investigation, in order to restore confidence in the system; and

WHEREAS the Integrity Commissioner plays a crucial role in maintaining the public's confidence in City Hall and in ensuring that the Code of Conduct for Members of Council is objectively communicated and applied; and

WHEREAS the Code of Conduct for Members of Council, Section XII states that the Code 'also applies in spirit and intent subject to any necessary (legal) modification, to appointees of Council and to other representatives who serve on City agencies, boards, commissions and other bodies';

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council direct the Integrity Commissioner to investigate the actions and conduct of the Chair of the TTC before, during and after the illegal wildcat strike on May 29, 2006, including the discussions that took place with the Transit Union;

AND BE IT FURTHER RESOLVED THAT the Integrity Commissioner's report be open to the public and released at a future City Council meeting."

Disposition:

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on July 25, 2006.

J(2) Establishment of a Business Improvement Area for the Albion Road and Islington Avenue Business Area

Moved by Councillor Hall, seconded by Councillor Lindsay Luby

“WHEREAS commercial property owners and business tenants in the Albion Road and Islington Avenue area have been considering establishing a Business Improvement Area (BIA) in this area, since 2005; and

WHEREAS the BIA Steering Committee received generally positive responses to the establishment of a BIA at various meetings with owners and tenants; and

WHEREAS the Economic Development, Culture and Tourism Division received a positive response concerning the creation of a BIA at the formal public meeting held on June 14, 2006; and

WHEREAS there is a shortened Council cycle this year due to the election, and in order to have the new BIA operational in time for the 2006 Annual General Meeting and 2007 budget cycle, the process to establish the BIA must begin as soon as possible;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be authorized to carry out the formal polling to create a Business Improvement Area in the area shown on the attached map, and the General Manager of Economic Development, Culture, and Tourism be authorized to report directly on the poll results to the September 25, 2006 Council meeting.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

Council also considered the following which are on file in the City Clerk’s Office:

Communication:

- (June 15, 2006) from Ishad Gafoor, Steering Committee Chair, Proposed Albion and Islington BIA.

- Map of the proposed Albion/Islington Business Improvement Area.

J(3) Instilling Civic Pride in Our National Flag

Moved by Councillor Ainslie, seconded by Councillor Soknacki

“**WHEREAS** on February 15, 1965, the red and white maple leaf was officially proclaimed as the National Flag of Canada; and

WHEREAS the National Flag of Canada is a symbol of honour and pride for all Canadians; and

WHEREAS the City of Toronto has played a role in the creation and promotion of the National Flag; and

WHEREAS Alexander Muir, a resident of Toronto, wrote the song ‘The Maple Leaf Forever’, which helped establish the maple leaf as a national symbol; and

WHEREAS Mr. Jesse Flis, former Member of Parliament for the riding of Parkdale – High Park, played a leading role in having February 15th declared as National Flag Day; and

WHEREAS it is incumbent upon Torontonians and all Canadians to take pride in displaying the National Flag; and

WHEREAS flying a National Flag of Canada that is tattered, torn, faded or in a similar state of disrepair shows a lack of respect for this symbol and our Country;

NOW THEREFORE BE IT RESOLVED THAT the Chief Corporate Officer be directed to inspect all National Flags on City property and to replace any which are in a state of disrepair and that this work be completed prior to July 1, 2006;

AND BE IT FURTHER RESOLVED THAT the City Solicitor report back on the feasibility of amending the Toronto Municipal Code to make it an offense to display, in public, a National Flag of Canada that is in poor condition;

AND BE IT FURTHER RESOLVED THAT the Government of Canada be advised of Toronto City Council’s decision and be requested to consider similar federal legislation regulating the display of the National Flag in public;

AND BE IT FURTHER RESOLVED THAT the Government of Canada be requested to declare February 15th as a National Holiday enabling all Canadians to fully celebrate their national symbol.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

Council also considered the following:

- Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(4) Declaration of Vacancy – Ward 35 – Scarborough Southwest

Moved by Councillor Del Grande, seconded by Councillor Thompson

“**WHEREAS** subsection 260(1) of the *Municipal Act, 2001*, as amended, provides that a Member of Council may resign from office by filing a notice in writing with the City Clerk; and

WHEREAS Councillor Altobello, Ward 35 – Scarborough Southwest, filed a letter of resignation with the City Clerk on June 13, 2006, such resignation being effective on June 14, 2006; and

WHEREAS subsection 259(1) of the *Municipal Act, 2001*, as amended, provides that the office of a Member of Council becomes vacant if the Member resigns from office; and

WHEREAS subsection 262(1) of the *Municipal Act, 2001*, as amended, requires that Council shall, at its next meeting, declare the office to be vacant;

NOW THEREFORE BE IT RESOLVED THAT, pursuant to subsection 262(1) of the *Municipal Act, 2001*, as amended, the office of Councillor, Ward 35 – Scarborough Southwest, be declared vacant.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(5) Appointment to Fill the Vacancy in the Office of Councillor, Ward 35 – Scarborough Southwest

Moved by Councillor Thompson, seconded by Councillor Del Grande

“**WHEREAS** Council has declared the office of Councillor, Ward 35 – Scarborough Southwest, to be vacant; and

WHEREAS subsection 65(2) of the *Municipal Elections Act, 1996*, as amended, provides that no by-election can be held to fill an office that becomes vacant after March 31 in an election year; and

WHEREAS subsection 263(5) of the *Municipal Act, 2001*, as amended, provides that Council shall, within 60 days after the day the office is declared vacant, appoint a person to fill the vacancy;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the staff recommendations contained in the Recommendations Section of the attached report (June 20, 2006) from the City Clerk.”

Disposition:

City Council on June 27, 28 and 29, 2006, amended this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 20, 2006) from the City Clerk.”

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

In adopting Motion J(5), as amended, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (June 20, 2006) from the City Clerk:

“It is recommended that:

- (1) the vacancy be filled through the appointment of a qualified elector following the process set out in Appendix ‘A’;***
- (2) the City Clerk’s 2006 Operating Budget be increased by \$20,000.00, with funding provided from the Election Reserve, for a net zero impact;***
- (3) in the interim, the current staff of former Councillor Altobello continue to serve the constituents of Ward 35 – Scarborough Southwest until the new Councillor is appointed and a decision is made by Council or the new Councillor with respect to staffing; and***
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”***

Appendix “A”

***Procedures for Filling the Vacancy in the Office
of Councillor - Ward 35 - Scarborough Southwest
through an Appointment with Presentations
at both the Scarborough Community Council and Council***

- (1) Advertisements shall be placed in one major daily newspaper and in one local newspaper serving the ward. The advertisements shall indicate Council’s intention to appoint a qualified elector to the vacancy and outline the process one must follow to be considered.***
- (2) An information session will be conducted by staff at Toronto City Hall from 5:00 p.m. to 7:00 p.m. on July 13, 2006. All interested persons must attend this session, complete a Consent of Nominee form and a Declaration of Qualification and provide personal identification showing their name and qualifying address within the City of Toronto. Persons may also submit a resume which will be available for public inspection in the City Clerk’s Office. The resume will also be distributed to Members of Council.***

- (3) *The deadline for filing the Consent of Nominee form, the Declaration of Qualification, personal identification and a resume for Council's consideration shall be 12:00 noon on the day following the information session.*
- (4) *The candidates who have attended the information session, completed a Consent of Nominee form and a Declaration of Qualification and provided personal identification satisfactory to the Clerk, may appear before the Scarborough Community Council at a Special Meeting on July 19, 2006.*
- (5) *The Chair or Presiding Officer shall make a short statement of the purpose of the meeting and the general order of proceedings to be followed.*
- (6) *The Clerk will provide to the Chair or Presiding Officer, a list of the names of those candidates who have completed the Consent of Nominee and Declaration of Qualification and the Chair or Presiding Officer will call for a motion from the Scarborough Community Council in the following form:*

“Moved by...

THAT the following persons, who have signified in writing that they are legally qualified to hold the office of Councillor and consented to accept the office if they are appointed to fill the vacancy of Councillor, Ward 35 – Scarborough Southwest, shall be considered for appointment to fill such vacancy.”

- (7) *Each of the candidates shall be afforded the opportunity to address the Community Council for a period of not more than five minutes. The order of speaking will be determined by lot. (The Clerk shall place the names of all candidates on equal size pieces of paper in a container and randomly draw the names.)*
- (8) *Each Member of the Scarborough Community Council will be allowed no more than one question to each candidate.*
- (9) *Following consideration by the Community Council of all submissions, the Community Council will proceed to vote as follows:*
 - (a) *Members of the Community Council will vote by way of ballot;*
 - (b) *Members of the Community Council must sign and print their name on the ballot; ballots that do not contain both the signature and name of the Member will be rejected from the count;*

- (c) *if the candidate who receives the greatest number of votes cast does not receive more than one-half the votes of all Members of the Community Council present and voting, the candidate or candidates who received the fewest number of votes shall be excluded from the voting and the vote shall be taken again by the Clerk or designate and, if necessary, more than once, excluding in each successive vote the candidate or candidates who received the fewest number of votes in the proceeding vote, until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the Members of the Community Council present and voting;*
- (d) *where the votes cast are equal for all the candidates:*
- (i) *if there are three or more candidates remaining, the Clerk or designate shall by lot select one such candidate to be excluded from the subsequent voting;*
 - (ii) *if only two candidates remain, the tie shall be broken and the candidate selected by lot conducted by the Clerk or designate shall be the candidate selected by the Community Council for Council's consideration; and*
 - (iii) *"lot" means the method of determining the candidate to be excluded or the candidate to fill the vacancy, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a container and one name being drawn by the Clerk or designate.*
- (10) *Upon conclusion of the voting, the Chair or Presiding Officer will declare the candidate receiving the votes of more than one-half of the number of the Members of the Scarborough Community Council present and voting to be the candidate selected by the Community Council for Council's consideration. The name of the selected candidate will be forwarded to Council in the form of a communication from the Scarborough Community Council.*
- (11) *The candidates who have attended the information session, completed a Consent of Nominee form and a Declaration of Qualification and provided personal identification satisfactory to the Clerk, may appear before Council at a Special Meeting of Council to be held at 5:00 p.m., July 25, 2006. Candidates may appear before Council whether or not they attended at the Scarborough Community Council.*

- (12) *The Mayor or Presiding Officer shall make a short statement of the purpose of the meeting and the general order of proceedings to be followed.*
- (13) *The Clerk will provide to the Mayor or Presiding Officer, a list of the names of those candidates who have completed the Consent of Nominee and Declaration of Qualification and the Mayor or Presiding Officer will call for a motion from Council in the following form:*

“Moved by...

THAT the following persons, who have signified in writing that they are legally qualified to hold the office of Councillor and consented to accept the office if they are appointed to fill the vacancy of Councillor, Ward 35 – Scarborough Southwest, shall be considered for appointment to fill such vacancy.”

- (14) *Each of the candidates shall be afforded the opportunity to address Council for a period of not more than five minutes. The order of speaking will be determined by lot. (The Clerk shall place the names of all candidates on equal size pieces of paper in a container and randomly draw the names.)*
- (15) *Each Member of Council will be allowed no more than one question to each candidate.*
- (16) *Following consideration by Council of all submissions, Council will proceed to vote as follows:*
- (a) *Members of Council will vote by way of ballot;*
 - (b) *Members of Council must sign and print their name on the ballot; ballots that do not contain both the signature and name of the Member will be rejected from the count;*
 - (c) *if the candidate who receives the greatest number of votes cast does not receive more than one-half the votes of all Members of Council present and voting, the candidate or candidates who received the fewest number of votes shall be excluded from the voting and the vote shall be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the candidate or candidates who received the fewest number of votes in the proceeding vote, until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the Members of Council present and voting;*

(d) *where the votes cast are equal for all the candidates:*

- (i) *if there are three or more candidates remaining, the Clerk shall by lot select one such candidate to be excluded from the subsequent voting;*
- (ii) *if only two candidates remain, the tie shall be broken and the vacancy shall be filled by the candidate selected by lot conducted by the Clerk; and*
- (iii) *“lot” means the method of determining the candidate to be excluded or the candidate to fill the vacancy, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a container and one name being drawn by the Clerk.*

(17) *Upon conclusion of the voting, the Clerk will declare to be elected the candidate receiving the votes of more than one-half of the number of the Members of Council present and voting.*

(18) *A by-law confirming the appointment shall be enacted by Council appointing the successful candidate to the office for the remainder of the term of the present Council.*

Council also considered the following:

- Report (June 20, 2006) from the City Clerk.

- Financial Impact Statement (June 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(6) Interest Rate on Promissory Note of Toronto Hydro Corporation

Moved by Councillor Soknacki, seconded by Mayor Miller

“**WHEREAS** City Council at its meeting of April 25, 26 and 27, 2006, by its adoption, as amended, of Motion J(29), moved by Councillor Soknacki, seconded by Mayor Miller, headed ‘Ontario Energy Board Decision – Impact of Reduction in Deemed Interest Rate in Relation to Toronto Hydro-Electric System Limited’, adopted, as amended, the following recommendations contained in the Recommendations Section the report (April 25, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer:

- (2) Toronto Hydro Corporation be advised that the terms of the City-held Promissory Note will remain effective for fiscal 2006;

- (3) Council request the Deputy City Manager and Chief Financial Officer, in consultation with the Toronto Hydro Corporation to report to the June 20, 2006 meeting of the Policy and Finance Committee with respect to a payment policy from Toronto Hydro Corporation for 2007 and subsequent years; and
- (4) the Deputy City Manager and Chief Financial Officer report to the June 20, 2006 Policy and Finance Committee meeting related to the monetization of the City-held Promissory Note and related issues.'; and

WHEREAS, as a result of the consultations with Toronto Hydro Corporation, staff have submitted the attached report (June 26, 2006) from the City Manager and Deputy City Manager and Chief Financial Officer, entitled 'Interest Rate on Promissory Note of Toronto Hydro Corporation', which is deemed, in part, to be a re-opening of a previous Council decision;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(29), moved by Councillor Soknacki, seconded by Mayor Miller, entitled 'Ontario Energy Board Decision – Impact of Reduction in Deemed Interest Rate in Relation to Toronto Hydro-Electric System Limited', adopted, as amended, by City Council on April 25, 26 and 27, 2006, be re-opened for further consideration, only as it pertains to Recommendation (2) contained in the report (April 25, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer, as amended;

AND BE IT FURTHER RESOLVED THAT Council consider and adopt the staff recommendations contained in the Recommendations Section of the attached confidential report (June 26, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer.”

Disposition:

City Council on June 27, 28 and 29, 2006, re-opened Motion J(29), moved by Councillor Soknacki, seconded by Mayor Miller, entitled “Ontario Energy Board Decision – Impact of Reduction in Deemed Interest Rate in Relation to Toronto Hydro-Electric System Limited”, adopted, as amended, by City Council on April 25, 26 and 27, 2006, for further consideration, only as it pertains to Recommendation (2) contained in the report (April 25, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer, as amended.

City Council amended the balance of this Motion by:

(1) adding the following words to the second Operative Paragraph:

“subject to amending Recommendation (2) to read as follows:

‘(2) subject to obtaining agreement to the amended interest rate as per Recommendation (1), Council request Toronto Hydro Corporation to agree to amend the Promissory Note to incorporate a fixed schedule of maturities in four equal instalments of \$245,057,738.75, receivable on the last business day before:

(i) December 31, 2007;

(ii) December 31, 2009;

(iii) December 31, 2011; and

(iv) May 6, 2013;’ ”; and

(2) adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the City of Toronto express its appreciation to the Board of Directors and the staff of Toronto Hydro for their prudent fiscal management of THC and meeting the financial requests of the City.”

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

In adopting Motion J(6), as amended, Council adopted, as amended, the confidential report (June 26, 2006) 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, 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 related to the security of the property of the municipality:

“It is recommended that:

(1) Council:

(i) request Toronto Hydro Corporation to agree to a reduction in the interest rate attached to the current City-held Promissory Note of Toronto Hydro Corporation (‘the Promissory Note’), to a fixed 6.11% per annum from its current 6.8%, effective May 1, 2006;

- (ii) *rescind its decision of April 25, 26 and 27 to maintain the 6.8% interest rate for fiscal 2006; and*
- (iii) *correct a typographical error from Policy and Finance Report 1, Clause 39, (Council January 31, February 1 and 2, 2006) by setting the expiry date of the Promissory Note at May 6, 2013 (rather than May 5, 2013);*

and direct that the appropriate related amendments be made to the Promissory Note;

- (2) *subject to obtaining agreement to the amended interest rate as per Recommendation (1), Council request Toronto Hydro Corporation to agree to amend the Promissory Note to incorporate a fixed schedule of maturities in four equal instalments of \$245,057,738.75, receivable on the last business day before:*
 - (i) *December 31, 2007;*
 - (ii) *December 31, 2009;*
 - (iii) *December 31, 2011; and*
 - (iv) *May 6, 2013;*
- (3) *the Deputy City Manager and Chief Financial Officer be directed to provide notice of the proposed interest rate reduction and amended monetization schedule contained in Recommendations (1) and (2) of this report to the Senior Vice President and Chief Financial Officer (or successor) of the Corporation, in accordance with the notification provisions of the Promissory Note;*
- (4) (i) *Council ratify staff's application to seek Intervenor status from the Ontario Energy Board for the City to participate as Intervenor in its upcoming hearings - 'Multi-year Electricity Distribution Rate Setting Cost of Capital (EB-2006-0088) and 2nd Generation Incentive Regulation Mechanism (EB-2006-0089)', and*
 - (ii) *in the event that Toronto Hydro Corporation does not agree with the reduction in interest rate as per Recommendation (1), or where the issues reviewed in these hearings are deemed by the Deputy City Manager and Chief Financial Officer to have a direct potential impact on the City itself, especially with respect to cost of capital issues, the Deputy City Manager and Chief*

Financial Officer be authorized to do whatever is necessary in these proceedings to protect the interest rate of the Promissory Note, including being authorized to hire outside legal counsel to represent the City in these proceedings;

- (5) the appropriate City staff be authorized to take any action necessary to give effect thereto; and*
- (6) this report remain confidential, except that Recommendations be made public after Council consideration.”*

Council also considered the following:

- Confidential report (June 26, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer [Confidential Communication C.13(a)]. The above-noted 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 information related to the security of the property of the municipality.
- Confidential Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(7) Funding of Major Strategic Capital Infrastructure Projects

Moved by Councillor Soknacki, seconded by Mayor Miller

“**WHEREAS** a confidential report (June 26, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer, entitled ‘Interest Rate on Promissory Note of Toronto Hydro Corporation’, is submitted to Council, via a separate Notice of Motion; and

WHEREAS the attached report (June 26, 2006) from the Deputy City Manager and Chief Financial Officer, entitled ‘Funding of Major Strategic Capital Infrastructure Projects’, also deals with the City’s access to the principal value of the Promissory Note of \$980 million; and

WHEREAS Council’s policy for application of the proceeds of the Promissory Note was established in 1999 and does not specifically deal with the principal value of the Promissory Note;

NOW THEREFORE BE IT RESOLVED THAT Council consider and adopt the staff recommendations contained in the Recommendations Section of the attached report (June 26, 2006) from the Deputy City Manager and Chief Financial Officer, entitled 'Funding of Major Strategic Capital Infrastructure Projects';

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be granted authority to take the necessary actions to give effect thereto."

Disposition:

City Council on June 27, 28 and 29, 2006, postponed consideration of this Motion to its next regular meeting on July 25, 2006.

Council also considered the following:

- Report (June 26, 2006) from the Deputy City Manager and Chief Financial Officer.

Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(8) Sole Source Negotiation with Bombardier Inc. for the Purchase of TTC Subway Cars

Moved by Councillor Minnan-Wong, seconded by Councillor Stintz

“WHEREAS the Toronto Transit Commission (TTC) adopted a Resolution to enter into a sole source negotiation with Bombardier Inc. for the purchase of subway cars; and

WHEREAS the potential cost of the subway cars could exceed \$700,000,000.00 and, when combined with a service agreement, the cost of this contract over the life of the subway cars could exceed \$1 billion; and

WHEREAS the former Chief General Manager of the TTC recommended that this contract be put out for competitive bids; and

WHEREAS competitive bids are recognized as the best process for ensuring the best proposal, the best product and the best price; and

WHEREAS a competitive bid promotes an open and transparent process and builds confidence in the public that their tax dollars are being used wisely; and

WHEREAS the current closed process gives Bombardier an unfair advantage; and

WHEREAS the former Chief General Manager has indicated that the process of purchasing the subway cars has been a ‘fiasco’ and has resulted in political interference; and

WHEREAS the Canadian Auto Workers (CAW) has lobbied aggressively to make sure that Bombardier wins this sole source contract; and

WHEREAS it appears from all facts and circumstances that closed-door, ‘backroom deals’ have been made to secure this contract for Bombardier and the CAW; and

WHEREAS any sole source contract process has been tainted by political interference and it is no longer possible for the public to have confidence in the award of a contract to Bombardier Inc.; and

WHEREAS the new *City of Toronto Act* allows Council to set policy and operational direction for the TTC;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request the TTC to end negotiations with Bombardier Inc. for the purchase of subway cars;

AND BE IT FURTHER RESOLVED THAT the City of Toronto request the TTC to enter into a competitive bidding process for the replacement of its subway cars;

AND BE IT FURTHER RESOLVED THAT, if the TTC refuses to follow measures that will protect the integrity of the City by opening up the purchase of subway cars for competitive bid, this matter be referred to the Budget Advisory Committee to consider the amount it funds the TTC and its accountability to the taxpayers and the commuters in the City of Toronto.”

Disposition:

Notice of this motion was given to permit consideration at the next meeting of City Council on July 25, 2006.

Council also considered the following:

Communications:

- 177 communications submitted by Councillor Moscoe, Ward 15, Eglinton-Lawrence [Communication 24(a)]; and

- (June 28, 2006) News Release from Councillor Denzil Minnan-Wong, Ward 34, Don Valley East, and Councillor Karen Stintz, Ward 16, Eglinton Lawrence, submitted by Councillor Stintz [Communication 24(b)].

-
- Petition containing approximately 2,633 form letters and a separate document containing 38 signatures regarding the sole source negotiation with Bombardier Inc. for the purchase of TTC subway cars, submitted by Councillor Moscoe, Ward 15, Eglinton-Lawrence.

J(9) Sole Source Contract for New Subway Cars for Toronto Transit Commission
Moved by Councillor Walker, seconded by Councillor Thompson

“**WHEREAS** the Toronto Transit Commission (TTC) is advancing the signing of a sole source contract with Bombardier for the acquisition of 234 new subway cars in 6-car configuration; and

WHEREAS the sole source contract with Bombardier is to be signed in October 2006; and

WHEREAS Bombardier provided the TTC with a quote of \$705 million to fulfil its contract for 234 new subway cars; and

WHEREAS another company, Siemens, has provided an estimate of \$535 million to fulfil the same contract; and

WHEREAS it is City Council’s policy and fiduciary responsibility to put any contract out for public tender, if the purchase can be acquired from more than one company; and

WHEREAS Bombardier is not the only company that has operations in Ontario; and

WHEREAS Bombardier is not the only company that has unionized employees; and

WHEREAS recently, Siemens beat Bombardier in a competitive bid for a contract to retrofit the propulsion system of TTC streetcars and also won the competitive bid to provide Ottawa’s \$1.1 Billion ring-road system; and

WHEREAS there is not a provincial requirement that forces the City or the TTC to purchase transit cars from Bombardier, as has been stated by the TTC and the Mayor; and

WHEREAS the City's purchasing policy does not favour unionized over non-unionized companies; and

WHEREAS the necessary justifications have not been made to rationalize a sole sourcing of this contract worth over \$700 million;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council petition the Toronto Transit Commission to cancel the sole source process underway and to publicly tender for competitive bids for the purchase of new subway cars."

Disposition:

This Motion was deemed redundant at City Council on June 27, 28 and 29, 2006.

J(10) Request of the Auditor General to Investigate TTC Sole Source Contract to Bombardier for Purchase of New Subway Cars

Moved by Councillor Walker, seconded by Councillor Thompson

“WHEREAS the Toronto Transit Commission (TTC) is advancing the signing of a sole source contract with Bombardier for the acquisition of 234 new subway cars in 6-car configuration; and

WHEREAS the sole source contract with Bombardier is to be signed in October 2006; and

WHEREAS Bombardier provided the TTC with a quote of \$705 million to fulfil its contract for 234 new subway cars; and

WHEREAS another company, Siemens, has provided an estimate of \$535 million to fulfil the same contract; and

WHEREAS it is City Council's policy and fiduciary responsibility to put any contract out for public tender if the purchase can be acquired from more than one company; and

WHEREAS Bombardier is not the only company that has operations in Ontario; and

WHEREAS Bombardier is not the only company that has unionized employees; and

WHEREAS recently, Siemens beat Bombardier in a competitive bid for a contract to retrofit the propulsion system of TTC streetcars and also won the competitive bid to provide Ottawa's \$1.1 Billion ring-road system; and

WHEREAS there is not a provincial requirement that forces the City or the TTC to purchase transit cars from Bombardier, as has been stated by the TTC and the Mayor; and

WHEREAS the City's purchasing policy does not favour unionized over non-unionized companies; and

WHEREAS the necessary justifications have not been made to rationalize a sole sourcing of this contract worth over \$700 million;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Auditor General to immediately complete an audit/full investigation of the Toronto Transit Commission's sole source contract to be awarded to Bombardier for the acquisition of new subway cars."

Disposition:

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on July 25, 2006.

J(11) Request for City Legal Representation at the Ontario Municipal Board Appeal for 152 Westbourne Avenue (Application File Nos. B023/06SC, A072/06SC & A073/06SC)

Moved by Councillor Cowbourne, seconded by Councillor Fletcher

“WHEREAS the Committee of Adjustment, Scarborough Panel, held a public meeting on May 31, 2006, to consider an application for consent to sever and applications for minor variances at 152 Westbourne Avenue; and

WHEREAS the owner of 152 Westbourne Avenue made applications to the Committee of Adjustment, Scarborough Panel, for consent to sever the land to create one additional lot for single family residential development, and for variances to permit the new lot to have a minimum lot frontage of 7 metres (23 feet) and a minimum lot area of 225 square metres (2,422 square feet), and the retained lot to have a minimum lot frontage of 8.2 metres (27 feet) and a minimum lot area of 264 square metres (2,848 square feet), whereas the Zoning By-law requires a minimum lot frontage of 12 metres (39.3 feet) and a minimum lot area of 371 square metres (3,993 square feet); and

WHEREAS Planning staff provided a report to the Committee of Adjustment with a recommendation that the applications be refused because the proposed development would not respect and reinforce the general physical patterns and character of the existing residential neighbourhood, and because the frontages and lot areas for the proposed lots would not be consistent or compatible with the existing lots on Westbourne Avenue and, therefore, the proposal fails to satisfy the tests of s.45(1) of the *Planning Act*, and fails to satisfy the criteria of s.51(24) of the *Planning Act*; and

WHEREAS the Committee of Adjustment, Scarborough Panel, refused to grant the requested consent and variances because the general intent and purpose of the Official Plan and of the Zoning By-law were not maintained, and the variances were not minor and were not considered desirable for the appropriate development of the land; and

WHEREAS the owner has appealed these decisions to the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor and Planning staff be directed to attend at the Ontario Municipal Board to defend the Committee of Adjustment's decision to refuse the consent and variance applications."

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

Council also considered the following which are on file in the City Clerk's Office:

- Notice of Decision, Consent (May 31, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel;
- Notice of Decision, Minor Variance/Permission (May 31, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel; and
- Notice of Decision, Minor Variance/Permission (May 31, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel.

J(12) Maintenance of Various Encroachments – Hepbourne Street Flank – 642 Dovercourt Road (Ward 18 – Davenport)

Moved by Councillor Giambrone, seconded by Councillor Fletcher

“WHEREAS City Council at its meeting on May 23, 24 and 25, 2006, adopted Toronto and East York Community Council Report 4, Clause 22, headed ‘Maintenance of Various Encroachments - Hepbourne Street Flank - 642 Dovercourt Road (Ward 18 - Davenport)’; and

WHEREAS further investigation on the part of Right-of-Way Management staff and the local Councillor has determined that there is no significant impact on the right-of-way by the garbage storage box;

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 4, Clause 22, headed 'Maintenance of Various Encroachments - Hepbourne Street Flank - 642 Dovercourt Road (Ward 18 - Davenport)', be re-opened for further consideration, only as it pertains to Recommendation (1) of the report (April 24, 2006) from the Manager, Right of Way Management, Transportation Services, Toronto and East York District;

AND BE IT FURTHER RESOLVED THAT the lead-in phrase to Recommendation (1) be amended by deleting the words 'with the exception of', and inserting instead the word 'including', so that Recommendation (1) now reads as follows:

- '(1) City Council approve the maintenance of various encroachments including the garbage storage box within the public right of way on the Hepbourne Street flank of 642 Dovercourt Road, subject to the property owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
 - (a) indemnify the City from and against all actions, suits, claims or demand and from all loss, costs, damages and expenses that may result from such permission granted and providing an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Chief Financial Officer and Treasurer and in an amount not less than \$2,000,000.00 or such greater amount as the Chief Financial Officer and Treasurer may require;
 - (b) maintain the encroachments at his own expense in good repair and a condition satisfactory to the General Manager of Transportation Services and will not make any additions or modifications to the encroachments beyond what is allowed under the terms of the Agreement;
 - (c) remove the encroachments upon receiving 30 days written notice so to do;
 - (d) pay for the costs of preparing the agreement in the amount of \$452.03; and

- (e) accept such additional conditions as the City Solicitor or the General Manager of Transportation Services may deem necessary in the interest of the City of Toronto.”

Disposition:

City Council on June 27, 28 and 29, 2006, re-opened Toronto and East York Community Council Report 4, Clause 22, headed “Maintenance of Various Encroachments - Hepbourne Street Flank - 642 Dovercourt Road (Ward 18 - Davenport)”, for further consideration, only as it pertains to Recommendation (1) of the report (April 24, 2006) from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, and adopted the balance of this Motion, without amendment.

J(13) Detailed Year-Over-Year Comparisons on Final Property Tax Bills

Moved by Councillor Pitfield, seconded by Councillor Ootes

“**WHEREAS** final property tax bills were mailed to ratepayers across the City of Toronto during the last week of May 2006; and

WHEREAS City Council approved a 3 percent property tax increase to residents and a 1 percent increase to businesses through the 2006 Operating Budget; and

WHEREAS 2006 property taxes are based on a new re-assessment conducted by the Municipal Property Assessment Corporation (MPAC); and

WHEREAS MPAC does not provide tax impact information but only the actual assessment increase or decrease, and a comparison to the City average; and

WHEREAS ratepayers pay both a municipal levy and a provincial education levy; and

WHEREAS ratepayers are confused by the lack of detail on their assessment notices and property tax bills; and

WHEREAS ratepayers deserve to know what portion they pay to the City and what portion they pay to the Province; and

WHEREAS ratepayers deserve to know exactly how much, in dollars and as a percentage, their property tax has increased or decreased;

NOW THEREFORE BE IT RESOLVED THAT City Council request the Treasurer to include, beginning in 2007, year-over-year comparisons on a final property tax bill, both in dollars and as a percentage, for the following categories:

- (a) municipal taxes levied;
- (b) provincial education taxes levied;
- (c) municipal taxes related only to assessment;
- (d) provincial education taxes related only to assessment;
- (e) municipal taxes related only to tax rate changes; and
- (f) education taxes related only to tax rate changes;

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 June 27, 28 and 29, 2006, referred this Motion to the Policy and Finance Committee.

Council also considered the following:

- Financial Impact Statement (June 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(14) Proclamation of June 22 as Chinese Canadian Head Tax Redress Day

Moved by Councillor Fletcher, seconded by Mayor Miller

“**WHEREAS** Chinese labour was used to build the Canadian Pacific Railway (CPR) to fulfil the National Dream and unite the country from west to east, with Chinese workers earning 75 cents per day which was half of what other workers were paid; and

WHEREAS in 1885, after the Last Spike was driven, the Canadian government imposed a \$50.00 head tax in an effort to restrict Chinese immigration, a tax which, by 1903, was raised to \$500.00, a sum worth two years of wages at the time; and

WHEREAS on July 1, 1923, the *Chinese Exclusion Act* was passed to stop Chinese immigration; and

WHEREAS for the next 24 years, this racist and hurtful legislation separated families until it was finally repealed in May 1947, and Chinese Canadians regained the right to vote; and

WHEREAS the Chinese Canadian National Council (CCNC) and redress-seeking groups across the country, including the Ontario Coalition of Chinese Head Tax Payers and Families, have pressed successive Federal Governments, since 1984, to provide redress for the Chinese Head Tax 1885 - 1923, and the *Chinese Exclusion Act* 1923 - 1947; and

WHEREAS on June 22, 2006, the Canadian Government offered a Parliamentary apology for the injustice and racial discrimination of the Chinese Head Tax and *Chinese Exclusion Act* and recognized the suffering of individual Chinese Canadians, their families, and the entire Chinese Canadian community that resulted from this legislated discrimination, including the emotional and financial hardship, and the forced separation of families;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto congratulate the head tax families, the CCNC, redress-seeking groups, including the Ontario Coalition of Chinese Head Tax Payers and Families, redress supporters and the entire Chinese Canadian community, for their tireless efforts to secure redress for the head tax payers, and an official apology for this disgraceful treatment of the entire community;

AND BE IT FURTHER RESOLVED THAT the City of Toronto proclaim June 22 as ‘Chinese Canadian Head Tax Redress Day’ on a go forward basis, to celebrate this historic achievement;

AND BE IT FURTHER RESOLVED THAT Toronto City Council recognize the tremendous contribution of the Chinese Canadian community to the City of Toronto and Council re-affirm the City’s policy of respect for diversity, equity and non-discrimination.”

Disposition:

City Council on June 27, 28 and 29, 2006, amended this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Prime Minister, Olivia Chow, M.P., and the Federal Government be congratulated on the Chinese Canadian Head Tax Initiative.”

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

J(15) Request for City of Toronto to Appeal Minor Variance Decision at 7 Lynn Road (Application A084/06SC) and for City Legal Representation at OMB Hearing

Moved by Councillor Cowbourne, seconded by Councillor Hall

“**WHEREAS** the Committee of Adjustment, Scarborough Panel, held a public meeting on June 21, 2006, to consider an application for minor variance at 7 Lynn Road; and

WHEREAS the owner of 7 Lynn Road made application to the Committee of Adjustment for a minor variance to permit a street yard parking space measuring 2.7 metres (8.9 feet) width x 2.14 metres (7.0 feet) in length on the property, with another 3.56 metres (11.7 feet) in length located on the public boulevard, despite the Zoning By-law requiring a minimum parking space size of 2.7 metres (8.9 feet) width x 5.7 metres (18.7 feet) length, located entirely on the property; and

WHEREAS Community Planning Staff did not take a position on this application; and

WHEREAS the Committee of Adjustment, Scarborough Panel, approved the application, subject to the owner:

- (1) entering into an encroachment agreement with the City to the satisfaction of the Director, Transportation Services, Scarborough District; and
- (2) submitting a Tree Protection Plan for the City-owned Red Oak tree situated in front of the neighbouring property (5 Lynn Road) to the satisfaction of Urban Forestry; and

WHEREAS the introduction of a new parking space in the street yard on this property would have a negative impact on the streetscape of Lynn Road, in that more than half of the parking space would be situated on the public boulevard, the amount of landscaping in the front yard would be reduced and approval of this variance could set a precedent for future similar applications along this portion of Lynn Road;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto appeal the Committee of Adjustment decision and the City Solicitor be directed to attend the Ontario Municipal Board Hearing and be authorized to hire outside planning staff to defend the intent and purpose of the Zoning By-law.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

Council also considered the following which is on file in the City Clerk's Office:

- Notice of Decision, Minor Variance/Permission (June 21, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel.

J(16) Report Request on Amending the Term for the Scarborough Community Preservation Panel and the Scarborough Museum Board Citizen Members
Moved by Councillor Cowbourne, seconded by Councillor Kelly

“**WHEREAS** Municipal Code Chapter 103, Heritage, establishes a Community Preservation Panel for each Community Council area to undertake various duties relating to local heritage preservation issues, such as research, monitoring heritage buildings, and recommending their designation to the Preservation Board; and

WHEREAS Chapter 103 provides that:

‘The persons appointed to a panel, except for members of Council, shall hold office for a term consistent with the City’s “Policy on Citizen Appointments to City of Toronto Agencies, Boards and Commissions and External Special-Purpose Bodies” ’; and

WHEREAS the general provisions of the Policy and Processes for Citizen Nomination to City Agencies, Boards, Commissions and Corporations (ABCCs) and External Special Purpose Bodies are that:

‘For most boards, citizens are appointed for a three-year term of office, coincident with the term of Council, or until their successors are appointed ...

... The body making recommendations to Council should consider achieving a balance between re-appointments and new appointments of citizen members ...

... Citizens who are eligible and willing to seek re-appointment, may be considered by the Nominating Panel for re-appointment for a second consecutive 3-year term for a total of up to two consecutive terms of up to 3 years each, plus any time beyond the term awaiting a successor appointment. For terms shorter than 3 years, the limit shall be the equivalent of 2 consecutive 3 year terms.’; and

WHEREAS the current citizen members of the Scarborough Community Preservation Panel and the Scarborough Museum Board are not eligible for re-appointment, having all served for two or more terms, so that there would be no continuity next term; and

WHEREAS it is extremely difficult to recruit volunteers with local historical knowledge and experience;

NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning, and the General Manager, Economic Development and Tourism, be requested to report to the Policy and Finance Committee on amendments to Municipal Code Chapter 103, Heritage, that would allow the Scarborough Museum Board and the Scarborough Community Preservation Panel citizen members to serve more than two terms of office, when necessary, in time for appointments for the 2007-2010 Council term to take place.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(17) Creating a Business Improvement Area (BIA) for the Queen Street East Business Area Between Victoria Street and River Street

Moved by Councillor McConnell, seconded by Councillor Lindsay Luby

“**WHEREAS** commercial property owners and business tenants in the Queen Street East Business and Residents Association and the Corktown Residents and Business Association, between Victoria Street and River Street, have been considering establishing a BIA in this area since 2005; and

WHEREAS the BIA Steering Committee received generally positive responses to the establishment of a BIA at various meetings with owners and tenants; and

WHEREAS the Economic Development, Culture and Tourism Division received a positive response concerning the creation of a BIA at the formal public meeting held on May 17, 2006; and

WHEREAS, given the shortened Council cycle due to the election, and in order to have the new BIA operational in time for the 2006 Annual General Meeting, and 2007 budget cycle, the process to establish the BIA must begin as soon as possible;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be authorized to carry out the formal polling to create a BIA in the area shown on the attached map, and the General Manager of Economic Development, Culture, and Tourism be authorized to report directly on the poll results to the September 25, 2006, Council meeting.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

Council also considered the following which are on file in the City Clerk’s Office:

- Maps 1 to 3, Old Queen Street Proposed Business Improvement Area.

J(18) Request of the Federal Government to Restore Funding for the EnerGuide for Houses Program

Moved by Councillor Watson, seconded by Deputy Mayor Pantalone

“**WHEREAS** the City of Toronto has an ongoing commitment to encourage energy conservation and the reduction of green house gas emissions; and

WHEREAS energy efficiency is a responsible way for residents to save money, conserve our natural resources and protect our environment; and

WHEREAS EnerGuide for Houses, Canada’s energy efficiency advice and rating program, helps cut energy consumption and boost home energy efficiency, through evaluations and advice to homeowners about where and how energy can be saved and by providing cash rewards for reducing energy consumption; and

WHEREAS participants in the EnerGuide for Houses program save an average of 28 percent on their energy bills, amounting to \$750.00 a year, or \$18,750.00 over 25 years, at current energy prices; and

WHEREAS aside from the environmental and energy cost benefits, EnerGuide for Houses also leverages home improvement investments (\$5,000.00 to \$7,000.00 per grant) that create hundreds of jobs and business opportunities for local trades people; and

WHEREAS over 10,000 households in Ontario have completed the ‘before’ and ‘after’ audit process, yielding an average of 25 percent reduction in heating energy use and about four tonnes eCO₂ reduction per household; and

WHEREAS EnerGuide for Houses is internationally acclaimed as the most successful among Kyoto-influenced energy conservation initiatives; and

WHEREAS the federal government discontinued funding for the EnerGuide for Houses program in May 2006, including the EnerGuide for Houses Retrofit Incentive program, which provides performance-based grants to homeowners who make energy efficiency investments in their homes and EnerGuide for Low Income Households, which pays the full cost of energy efficiency upgrades for qualifying low-income households; and

WHEREAS the federal government has committed itself to a ‘Made in Canada’ approach to addressing the issue of global climate change; and

WHEREAS in May 2006 the Federation of Canadian Municipalities unanimously endorsed an emergency resolution calling on the federal government to immediately restore funding for the EnerGuide for Houses program, and that this be included as part of the proposed ‘Made in Canada’ plan for climate change;

NOW THEREFORE BE IT RESOLVED THAT City Council urge the federal government to restore funding for the EnerGuide for Houses program.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(19) Involvement of Elected Officials in Negotiations for Procurement of Subway Cars

Moved by Councillor Ootes, seconded by Councillor Stintz

“**WHEREAS** the Ethics and Integrity of the City of Toronto government were important issues in the 2003 Municipal election; and

WHEREAS the Mayor and many Members of Council were elected on a mandate to reform the City of Toronto government; and

WHEREAS Madame Justice Denise E. Bellamy was in the midst of the MFP/Toronto Computer Leasing Inquiry – Toronto External Contacts Inquiry at the time of the Municipal election; and

WHEREAS Justice Bellamy wrote almost one year ago, ‘With this report, I pass a Torch to the Mayor and Toronto City Council. The job they gave me to do is done. The physical product of the work, my report, now belongs to them and, through them, to the people of Toronto.’; and

WHEREAS Justice Bellamy made recommendations on reform of the Procurement Process for the City of Toronto; and

WHEREAS in order for City Council to show the people of Toronto that it supports the work and recommendations of the report, Council must act when actions are taken that are contrary to Justice Bellamy's recommendations; and

WHEREAS Recommendation (130) reads: 'Councillors should separate themselves from the procurement process. They should have no involvement whatsoever in specific procurements. They have the strongest ethical obligation to refrain from seeking to be involved in any way.'; and

WHEREAS Councillor Moscoe, as Chair of the Toronto Transit Commission, has admitted that he was directly involved in negotiating a 'sole source' purchase agreement with Bombardier for the upcoming purchase of new subway cars; and

WHEREAS City Council must show the people of Toronto that actions such as these are no longer acceptable;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Council of the City of Toronto state that it does not support the involvement of elected officials in the negotiations for the procurement of subway cars on behalf of the TTC; and
- (2) the Council of the City of Toronto request the Toronto Transit Commission to remove Councillor Moscoe as Chair of the TTC, due to his inappropriate involvement in the negotiations for the purchase of subway cars, to reflect the wishes of the citizens of Toronto for a more transparent government, free of the potential for political interference in the procurement of goods or services by the City and its Agencies, Boards and Commissions."

Disposition:

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on July 25, 2006.

J(20) Official Plan Amendment and Rezoning Application - 99 Chandos Avenue
Moved by Councillor Palacio, seconded by Councillor Nunziata

“WHEREAS following discussions with the applicant and City Staff, it is advisable to amend Etobicoke York Community Council Report 3, Clause 6, headed 'Final Report - Official Plan Amendment and Rezoning Application - Applicant: Jonathan Mair, Firm Capital Corporation Architect: Ferdinand Wagner Architect 99 Chandos Avenue (Ward 17 - Davenport)', as approved by City Council on April 25, 26 and 27, 2006, to provide a reasonable opportunity for the owner to complete work in accordance with a building permit to be

obtained for the conversion of the industrial building to a residential building and to provide an opportunity to report on the introduction of a by law amendment to permit the residential building on a permanent basis, if the work is completed pursuant to the building permit; and

WHEREAS the owner, through his Solicitor, has agreed to sign an undertaking to the City indicating that he will use his best efforts to satisfy the conditions to permit introduction of a by-law that would permit a building permit to be issued for the conversion of the industrial building to a residential building but has requested a reasonable amount of time to undertake his best efforts to successfully obtain a building permit and complete the work pursuant to the building permit, so that a Zoning By law amendment can be passed to permit the residential building on a permanent basis;

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 6, headed 'Final Report - Official Plan Amendment and Rezoning Application - Applicant: Jonathan Mair, Firm Capital Corporation Architect: Ferdinand Wagner Architect 99 Chandos Avenue (Ward 17 - Davenport)', be re-opened for further consideration, only as it pertains to Recommendation (11);

AND BE IT FURTHER RESOLVED THAT Recommendation (11) be deleted and Council adopt the following new Recommendation (11) instead:

- '(11) (a) require that the owner obtain a building permit for conversion of the building from industrial use to a residential building and undertake, prior to the introduction of the Bill in Council, to use best efforts to complete the work within one year of the building permit being issued;
- (b) require that the Director of Community Planning Etobicoke York District, in consultation with the Director of Buildings, Etobicoke York District, report to the Etobicoke York Community Council, prior to expiry of the temporary use by-law, on the progress in completing the work pursuant to the building permit;
- (c) if, in the opinion of the Director of Building's Etobicoke York District, reasonable progress has been made to complete the work but additional time is required to complete the work pursuant to the building permit, the Director of Community Planning, Etobicoke York District, be requested to report recommending an amendment to the temporary use by-law to extend the expiry date of the temporary use by-law for up to an appropriate additional period of time; and

- (d) if the Director of Buildings, Etobicoke York District, advises that work has been completed pursuant to the building permit within the period of the time that the temporary use by-law is in effect, the Director of Community Planning be requested to arrange a Planning Act Public meeting and report to Community Council recommending a by-law to amend Zoning By-law 438-86 for the former City of Toronto that is substantially in accordance with the draft Zoning By-law attached as Attachment 5 to the report (March 20, 2006) from the Director, Community Planning Etobicoke York District, and that excludes any provision in that sets out a period of time for which the By-law is to be in effect.”

Disposition:

City Council on June 27, 28 and 29, 2006, re-opened Etobicoke York Community Council Report 3, Clause 6, headed “Final Report - Official Plan Amendment and Rezoning Application - Applicant: Jonathan Mair, Firm Capital Corporation Architect: Ferdinand Wagner Architect 99 Chandos Avenue (Ward 17 - Davenport)”, for further consideration, only as it pertains to Recommendation (11), and adopted the balance of this Motion, without amendment.

J(21) Potential Ontario Municipal Board Hearing - 303 Laird Drive

Moved by Councillor Pitfield, seconded by Councillor Jenkins

“**WHEREAS** the Committee of Adjustment held a public meeting on December 1, 2005, to consider a request for the granting of a minor variance at 303 Laird Drive, File A0901/05NY; and

WHEREAS the Committee heard from area residents opposed to the granting of these variances; and

WHEREAS the Committee of Adjustment moved to refuse the requested variance on the grounds that the variance was not minor, not within the general intent of the Zoning By-law and was not an appropriate development of this property; and

WHEREAS the applicant appealed the decision to the Ontario Municipal Board on April 13, 2006, and the Ontario Municipal Board (OMB) decision was for modified approval of a building height of 9.0 metres; and

WHEREAS the applicant has maintained the height of the structure at 9.45 metres and not followed the direction of the OMB decision; and

WHEREAS the City of Toronto issued an order to comply with the OMB decision on June 5, 2006, with 30 days to comply with the OMB decision;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be directed to attend at either a re-opening of the Ontario Municipal Board decision or at a legal proceeding brought by the City.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

Council also considered the following which are on file in the City Clerk’s Office:

- Extracts from the Minutes of the Committee of Adjustment, North York Panel, meeting held on December 1, 2005, respecting 303 Laird Drive; and
- Memorandum of Oral Decision of the Ontario Municipal Board (May 3, 2006) respecting 303 Laird Drive.

J(22) Ontario Municipal Board Hearing - 191 Bayview Heights Drive

Moved by Councillor Pitfield, seconded by Councillor Jenkins

“**WHEREAS** the Committee of Adjustment held a public meeting on September 22, 2005, to consider a request for the granting of minor variances at 191 Bayview Heights Drive, File A0725/05NY; and

WHEREAS the Committee heard from area residents opposed to the granting of these variances; and

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

WHEREAS the modified approval would allow a proposed floor space index of 356.74m (0.64 x the area of the lot) and a proposed building length of 17.83 m; and

WHEREAS the applicant appealed this decision to the Ontario Municipal Board on April 18, 2006, without notice of the meeting having been sent to interested parties that the hearing was to take place;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be directed to attend at the Ontario Municipal Board in defence of the City's Committee of Adjustment decision of the modified approval at a new hearing at the Ontario Municipal Board to be set for August 2006."

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

Council also considered the following which are on file in the City Clerk's Office:

- Extracts from the Minutes of the Committee of Adjustment, North York Panel, meeting held on September 22, 2005, respecting 191 Bayview Heights Drive; and
- Appointment for Hearing of the Ontario Municipal Board (December 12, 2005) respecting 191 Bayview Heights Drive.

J(23) Request for Cash Flow Advance - George Bell Arena

Moved by Councillor Nunziata, seconded by Councillor Palacio

"WHEREAS the George Bell Arena Board of Management has encountered unforeseen human resources issues while carrying out its responsibility for the management and operation of the Arena; and

WHEREAS the George Bell Arena Board of Management has reviewed its 2006 budget of \$445,100.00 gross and \$20,200.00 net, as well as its current cash flow, and is forecasting the need for additional cash flow in the coming months to meet its commitments; and

WHEREAS the George Bell Arena Board of Management is requesting additional cash flow to address this human resource issue, to prevent any disruption in the delivery of indoor ice recreational activities;

NOW THEREFORE BE IT RESOLVED THAT Council approve an additional cash flow advance from the Employee Benefits Reserve Fund of up to \$35,000.00 for the George Bell Arena for the 2006 operating year."

Disposition:

City Council on June 27, 28 and 29, 2006, referred this Motion to the Policy and Finance Committee.

Council also considered the following:

- Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(24) Factual Content of Motions Directed at a Member of Council
Moved by Councillor Mihevc, seconded by Councillor Di Giorgio

“**WHEREAS** Notice of Motion J(1) was filed for Council’s consideration at its meeting of June 27, 2006; and

WHEREAS the Recitals are replete with factual inaccuracies, malicious innuendo, half-truths and outright misinformation; and

WHEREAS the obvious intention of the Notice of Motion is to smear the reputation of another Member of Council; and

WHEREAS, even though the law grants some qualified protection to Members of Council from false and libellous statements that are made during Council meetings, there is an obligation to observe some modicum of respect for, at least, the office; and

WHEREAS, even in politics, there are, or ought to be, some ethical standards;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor and the City Clerk report to Council, through the Policy and Finance Committee, on possible amendments to Chapter 27 of the City of Toronto Municipal Code, Council Procedures, that might be necessary to ensure that Recitals in Notices of Motion of this nature are truthful;

AND BE IT FURTHER RESOLVED THAT the City Solicitor and City Clerk recommend to City Council a procedure for the City Clerk to be able to refuse the wording of a Notice of Motion in which the obvious intent is to harm the reputation of another Member of Council.”

Disposition:

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on July 25, 2006.

J(25) Amendment to Polling Period - Designation of Balmy Beach as a Heritage Conservation District - Ward 32 (Beaches-East York)

Moved by Deputy Mayor Bussin, seconded by Councillor Rae

“**WHEREAS** City Council enacted By-law 546-2004 on June 24, 2004, which created the Balmy Beach Heritage Conservation District Study Area; and

WHEREAS a community group, with the assistance of City staff and a professional heritage consultant, have been studying the area to determine whether the area has a heritage character and how it could be protected; and

WHEREAS the community group and consultant have now produced final Heritage Conservation District Plans which are posted on the City’s Web site, and which are being reviewed in a public consultation process; and

WHEREAS City Council approved Toronto and East York Community Council Report 9, Clause 16, on November 30, 2004, which directs the City Clerk to conduct a poll of the property owners in the Study area when the District Plan is complete, asking whether the property owners wish to have their area designated as a Heritage Conservation District; and

WHEREAS that report specifies a 15-day polling period; and

WHEREAS staff and members of the community are of the opinion that a 30-day polling period would be more appropriate, due to the time of year and in keeping with the City’s standard polling process;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Clerk to conduct the poll for 30 days;

AND BE IT FURTHER RESOLVED THAT the City Clerk be directed to release the results of the poll to Planning staff, as soon as possible, as the information is needed for a Planning staff report;

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 June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(26) Designation of Event of Municipal Significance – Canada Day Event in Earlscourt Park

Moved by Councillor Palacio, seconded by Councillor Nunziata

“**WHEREAS** a Canada Day Event will be held in Earlscourt Park on Saturday, July 1, 2006, between the hours of 12:00 noon and 6:00 p.m.;

NOW THEREFORE BE IT RESOLVED THAT for liquor licensing purposes, Council declare the Canada Day event in Earlscourt Park, to be held on July 1, 2006, to be an event of municipal significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to its taking place.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(27) Follow up Report of the Integrity Commissioner on an Employee Issue

Moved by Mayor Miller, seconded by Deputy Mayor Feldman

“**WHEREAS** the Integrity Commissioner submitted a report on a complaint of violation of the Councillor’s Code of Conduct to the May 23, 24 and 25, 2006 Council Meeting; and

WHEREAS Council referred the matter to the City Manager and the City Solicitor with a request that they provide advice to the Integrity Commissioner on employee issues, and requested the Integrity Commissioner to submit a further report to City Council; and

WHEREAS the Integrity Commissioner has submitted a further report in response to this direction;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (June 27, 2006) from the Integrity Commissioner, and that the recommendation contained in the Recommendation Section of the report be adopted.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

In adopting Motion J(27), without amendment, Council adopted, without amendment, the following recommendation contained in the Recommendation Section of the report (June 27, 2006) from the Integrity Commissioner:

“It is recommended that Council refer my report to the City Manager to resolve the personnel issue.”

Council also considered the following:

- Report (June 27, 2006) from the Integrity Commissioner.

- Confidential Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(28) Rezoning Application - 200 Horner Avenue

Moved by Councillor Grimes, seconded by Councillor Mihevc

“WHEREAS City Council on June 27, 2006, adopted a staff report recommending that 200 Horner Avenue be declared as surplus; and

WHEREAS the site is intended to be the subject of a long-term, 40-year lease for a concrete batching operation which was originally intended to be located at 207 New Toronto Street; and

WHEREAS 207 New Toronto Street is not a desirable location for a concrete batching operation, due to the close proximity of residential properties; and

WHEREAS the property at 200 Horner Avenue has approval from the Committee of Adjustment to allow concrete batching on a temporary basis; and

WHEREAS the lessee for the property at 200 Horner Avenue has applied or intends to apply for rezoning to permit the concrete batching operation on a permanent basis;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) Council direct staff to schedule a community consultation meeting on the proposed zoning change together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site;
- (3) a Public Meeting under the *Planning Act* be scheduled for the September 13, 2006 meeting of the Etobicoke York Community Council;
- (4) notice for the Public Meeting under the *Planning Act* be given, according to the regulations under the *Planning Act*; and

- (5) the Director of Real Estate Services be authorized to consent to the rezoning application by the lessee on behalf of the City.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(29) Association of Body Rub Parlours of Toronto Inc. versus City of Toronto - Court Application Challenging Licensing By-laws Nos. 904-2005 and 1055-2005

Moved by Councillor Filion, seconded by Councillor Stintz

“**WHEREAS** by Notice of Application dated April 7, 2006, the Association of Body Rub Parlours of Toronto Inc. (the ‘Association’) commenced a Court application challenging the body rub parlour licence fees contained in By-law No. 904-2005 and the limit on the hours of operation contained in By-law No. 1055-2006; and

WHEREAS this Court application also challenges the validity of Chapter 162 of the Municipal Code, Public Notice, as well as section 272 of the *Municipal Act, 2001*; and

WHEREAS the City Solicitor has prepared a confidential report seeking instructions from Council on the City’s position; and

WHEREAS this matter must be considered at this meeting of Council, as cross-examinations will be conducted in the first two weeks of July to meet the Court-ordered date;

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

Disposition:

City Council on June 27, 28 and 29, 2006, amended this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Executive Director, Municipal Licensing and Standards, be requested to discuss, with the Emery Village BIA, the policy respecting body rub parlours, and share any statistics in this regard.”

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

In adopting Motion J(29), as amended, Council adopted, without amendment, the confidential report (June 26, 2006) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation.

Council also considered the following:

- Confidential report (June 26, 2006) from the City Solicitor [Confidential Communication C.14(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

Confidential Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(30) Proposed “Visitation Centre” – Mount Pleasant Cemetery

Moved by Councillor Rae, seconded by Mayor Miller

“**WHEREAS** City Council on May 23, 24 and 25, 2006, had before it Motion J(39), moved by Councillor Rae, seconded by Mayor Miller, entitled ‘Request for Report – Settlement Respecting an Application by the Mount Pleasant Group of Cemeteries to Construct a Visitation Centre’; and

WHEREAS both the City Solicitor and the Chief Planner and Executive Director, City Planning, were requested to report on the process of settling such matters without instruction from Council and without notification of the Ward Councillor; and

WHEREAS the City Solicitor was requested to report directly to an in-camera session of City Council on the legal advice and the settlement that was provided to the Chief Building Official; and

WHEREAS the Chief Planner and Executive Director, City Planning, was requested to report on the planning merits of the subject application and the provisions of By law 425-93, as it applies to cemeteries;

WHEREAS both the City Solicitor and Chief Planner and Executive Director, City Planning, have prepared reports responding to these requests;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) consider the confidential report (June 26, 2006) from the City Solicitor, and receive the report for information; and

- (2) consider the confidential report (June 26, 2006) from the Chief Planner and Executive Director, City Planning, and receive the report for information.”

Disposition:

City Council on June 27, 28 and 29, 2006, amended this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT a copy of this Motion and the now public reports from the City Solicitor and the Chief Planner and Executive Director, City Planning, be forwarded to the Toronto and East York Community Council in September 2006.”

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

In adopting Motion J(30), as amended, Council:

- (1) ***received the confidential report (June 26, 2006) from the City Solicitor, for information. This report is now public in its entirety and contains the following recommendation:***

“It is recommended that this report be received for information.”; and

- (2) ***received the confidential report (June 26, 2006) from the Chief Planner and Executive Director, City Planning, for information. This report is now public in its entirety and contains the following recommendation:***

“It is recommended that Council receive this report for information.”

Council also considered the following:

- Confidential report (June 26, 2006) from the City Solicitor [Confidential Communication C.15(a)]. This report is now public in its entirety and contains the above-noted recommendation; and
- Confidential report (June 26, 2006) from the Chief Planner and Executive Director, City Planning [Confidential Communication C.15(b)]. This report is now public in its entirety and contains the above-noted recommendation.
- Confidential Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(31) 1300 - 1330 Castlefield Avenue - Ontario Municipal Board Interim Control By-laws and Site Plan Appeals

Moved by Councillor Moscoe, seconded by Councillor Augimeri

“**WHEREAS** a site plan control application and a building permit application were submitted on September 26, 2005, and October 27, 2005, respectively, relating to a proposed 13,210 square metre gross floor area home improvement store at 1300 - 1330 Castlefield Avenue (the ‘Subject Property’); and

WHEREAS the above-noted site plan application also proposed five smaller retail stores at the Subject Property, the entire application contemplating a cumulative proposed gross floor area of 16,227 square metres; and

WHEREAS on October 26, 2005, Council approved a recommended planning study and enacted two Interim Control By-laws (By-laws Nos. 862-2005 and 863-2005) to restrict uses in the Castlefield Caledonia area for a one-year period; and

WHEREAS By-law No. 863-2005 restricts the size of retail uses for the Subject Property such that the proposal for the home improvement store at the Subject Property exceeds the zoning permissions; and

WHEREAS the owner of the Subject Property (the ‘Owner’) has appealed Interim Control By-law No. 863-2005, and Lowe’s, the company that has entered into a lease with the Owner, has appealed Interim Control By-laws Nos. 862-2005 and 863-2005, to the Ontario Municipal Board; and

WHEREAS Lowe’s has referred the site plan control application to the Ontario Municipal Board; and

WHEREAS the City Solicitor has received an Offer to Settle from the appellants and wishes to report directly to City Council on the proposed settlement by way of confidential report dated June 26, 2006; and

WHEREAS the Offer to Settle is open for acceptance until 12:00 p.m. on June 30, 2006, and the Ontario Municipal Board hearing for the purpose of considering the settlement proposal, if accepted, is scheduled to commence on July 12, 2006, and accordingly, this is a time sensitive matter;

NOW THEREFORE BE IT RESOLVED THAT Council consider the confidential report (June 26, 2006) from the City Solicitor and provide instructions to the City Solicitor on this matter;

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 June 27, 28 and 29, 2006, amended this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (June 26, 2006) from the City Solicitor.”

In adopting Motion J(31), as amended, Council adopted, without amendment, the confidential report (June 26, 2006) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report and the Settlement Offer attached as Appendix “A” to the report are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation:

“That:

- (1) the terms of settlement as set out in the Appendix ‘A’ of this report be approved and that the City Solicitor be instructed to attend at the Ontario Municipal Board to request the Board’s approval of same; and***
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”***

Council also considered the following:

- Confidential report (June 26, 2006) from the City Solicitor [Confidential Communication C.16(a)]. The above-noted staff recommendations contained in the Recommendations Section of the report and the Settlement Offer attached as Appendix “A” to the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

(Appendix “A”, the Settlement Offer, is on file in the City Clerk’s Office.)

- Confidential Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(32) Biosolids Management Contingency Issues (All Wards)

Moved by Councillor Carroll, seconded by Councillor Augimeri

“**WHEREAS** Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC, doing business as Carleton Farms, and Republic Transportation Services of Canada (collectively ‘Republic Services’), have advised that they intend to stop accepting biosolids for disposal at the Carleton Farms Landfill in Michigan, effective August 1, 2006; and

WHEREAS there is an immediate and urgent need to obtain direction and the appropriate authorities from Council with respect to this emergency biosolids disposal situation and protection of the City’s interests;

NOW THEREFORE BE IT RESOLVED THAT Council consider and adopt the staff recommendations contained in the Recommendations Section of the attached confidential report (June 27, 2006) from Deputy City Manager Amin, the Director, Purchasing and Materials Management, the General Manager, Toronto Water, and the General Manager, Solid Waste Management Services.”

Disposition:

City Council on June 27, 28 and 29, 2006, amended this Motion by adding to the Operative Paragraph, the words “subject to amending the staff recommendations in accordance with 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 related to the security of the property of the municipality”, so that the Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT Council consider and adopt the staff recommendations contained in the Recommendations Section of the attached confidential report (June 27, 2006) from Deputy City Manager Amin, the Director, Purchasing and Materials Management, the General Manager, Toronto Water, and the General Manager, Solid Waste Management Services, subject to amending the staff recommendations in accordance with 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 related to the security of the property of the municipality.”

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

Council also considered the following:

- Confidential report (June 27, 2006) from Deputy City Manager Fareed Amin, the Director, Purchasing and Materials Management Division, the General Manager, Toronto Water, and the General Manager, Solid Waste Management Services [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 information related to the security of the property of the municipality.

- Confidential Financial Impact Statement (June 28, 2006) from the Deputy City Manager and Chief Financial Officer.

J(33) Expansion of Little Italy Business Improvement Association (BIA) Boundaries from Euclid Avenue to Bathurst Street

Moved by Deputy Mayor Pantalone, seconded by Councillor Silva

“**WHEREAS** the Board of Management of the Little Italy BIA voted to consider expanding its boundaries eastward from Euclid Avenue to Bathurst Street; and

WHEREAS the Board of Management received generally positive responses to the expansion proposal from informal discussions with current members and potential new members within the proposed new boundaries; and

WHEREAS the Economic Development, Culture and Tourism Division received a positive response concerning expansion at the formal public meeting held on June 27, 2006; and

WHEREAS given the shortened Council cycle due to the election, and in order to have the expanded BIA operational in time for the 2006 Annual General Meeting and 2007 budget cycle, the process to expand the BIA must begin as soon as possible;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be authorized to carry out the formal polling to expand the BIA required under the *Municipal Act, 2001*, and the General Manager of Economic Development, Culture, and Tourism be authorized to report directly on the poll results to the September 25, 2006 Council meeting.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(34) Request for Additional Licenced Indoor Capacity - Ishtar Restaurant and Bar, 9 Milvan Drive, Unit 5

Moved by Councillor Mammoliti, seconded by Councillor Saundercook

“**WHEREAS** Arkan Shlaimon is the corporate licence holder of a liquor sales licence for an establishment located at 9 Milvan Drive, Unit 5, operating as Ishtar Restaurant and Bar (‘Ishtar’); and

WHEREAS Ishtar has submitted an application to the Alcohol and Gaming Commission of Ontario (‘AGCO’) to expand its liquor licence to increase the current licenced indoor capacity from 30 patrons to 202; and

WHEREAS the industrial mall at 9 Milvan Drive in which Ishtar is located has been plagued with problems regarding drugs and other criminal activity; and

WHEREAS local residents have expressed concerns to the Ward Councillor about the ongoing activities at the industrial mall at 9 Milvan Drive, and it is believed that a substantial increase in the licenced capacity of Ishtar will result in an increase in noise, crime, nuisance and further disruption to the residents of neighbouring properties; and

WHEREAS on March 4, 2006, Police officers from 31 Division charged Ishtar for violations of the *Liquor Licence Act*, including overcrowding and the failure to properly post their liquor licence; these charges are still before the Courts; and

WHEREAS Ishtar, under a different licensed owner, was previously located at Finch Avenue and Weston Road in the City of Toronto prior to moving to 9 Milvan Drive, where several violations under the *Liquor Licence Act* occurred; and

WHEREAS the Toronto Fire Department has the following outstanding fire safety issues with Ishtar; exit signs not being kept clearly illuminated at all times and failure to ensure that sprinkler heads remain free from damage, corrosion, grease, dust, paint or whitewash; and

WHEREAS given the concerns raised by residents, local Police and the Toronto Fire Department, including concerns relating to the public safety of both neighbouring residents and patrons of Ishtar, the granting of any additional licensed capacity, especially a substantial increase from 30 to 202 patrons, would not be in the public interest;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor to advise the AGCO and Ishtar that it opposes the application for an expansion of the existing liquor licence, and that an increase in the licensed capacity of Ishtar is not in the public interest, having regard to the needs and wishes of the residents;

AND BE IT FURTHER RESOLVED THAT the AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to Ishtar to oppose the increase in licensed capacity, and the City Solicitor and the appropriate City officials be authorized to participate in any proceedings before the AGCO which relate to Ishtar.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(35) Retention of Current Rates and Fares for Taxicabs

Moved by Councillor Fillion, seconded by Councillor Stintz

“WHEREAS the City establishes the rates and fares to be charged by taxicabs through Chapter 545, Licensing; and

WHEREAS fares are currently set at \$3.00 for the first 0.170 kilometre, or part thereof, and \$0.25 for each additional 0.170 kilometre, or part thereof; and

WHEREAS the current taximeter fares are inclusive of the 7 percent Goods and Services Tax; and

WHEREAS the federal government has passed legislation to reduce by 1 percent, the Goods and Services Tax, from 7 percent to 6 percent, effective July 1, 2006; and

WHEREAS the 1 percent reduction in the Goods and Services Tax, when applied to the current taxicab fares, would result in a reduction of less than \$0.03 on the \$3.00 fare for the first 0.170 kilometre and less than \$0.003 on the \$0.25 fare for each additional 0.170 kilometre; and

WHEREAS the impact of the reduction would be similarly minor for the other taximeter rates prescribed by the City in Chapter 545, Licensing; and

WHEREAS the Canada Revenue Agency GST/HST Info Sheet dated June 2006 indicates that if a business continues to charge the 7 percent GST rate after July 1, 2006, the excess amount must either be refunded to the customer or be remitted; and

WHEREAS it is appropriate for the taxi industry to recalibrate the taximeters to reflect a GST of 6 percent; and

WHEREAS the Executive Director of Municipal Licensing and Standards will be requiring the taxicab industry to recalibrate the taximeters to reflect the GST amount of 6 percent;

NOW THEREFORE BE IT RESOLVED THAT the taximeter rates as prescribed in Appendix C, 'Tariff A' to Chapter 545, Licensing, of the Toronto Municipal Code not be reduced."

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(36) Request by the Women Members of Council to Confirm the Results of the Selection Process for the Constance E. Hamilton Award

Moved by Councillor McConnell, seconded by Deputy Mayor Bussin, on behalf of the Women Members of Council

"**WHEREAS** Toronto City Council established the Constance E. Hamilton Award, in 1979, to celebrate the 50th anniversary of the Person's Case, which recognized that women were 'persons' and could be appointed to the Senate of Canada; and

WHEREAS in 1920, Constance E. Hamilton was the first woman elected to a Municipal Council in Toronto; and

WHEREAS the Constance E. Hamilton Award recognizes person(s) who have made a significant contribution to improving the social, economic, cultural and political status of the women in Toronto; and

WHEREAS the Awards are scheduled for presentation in November 2006;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council confirm the selections made by the Constance E. Hamilton Award Selection Committee that Parvathy Kanthasamy, Marcie Ponte and Virginia Rock be the recipients of the 2006 Constance E. Hamilton Award;

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 June 27, 28 and 29, 2006, adopted this Motion, without amendment.

J(37) Refusal Report - Official Plan Amendment and Rezoning Application - 76 and 100 Davenport Road (Ward 27 - Toronto Centre-Rosedale)

Moved by Councillor Rae , seconded by Councillor McConnell

“**WHEREAS** the Toronto and East York Community Council at its meeting of November 18, 2005, adopted a motion that recommended an L-shaped laneway be sold to the owner of the adjacent property under certain conditions; and

WHEREAS City Council at its meeting of December 5, 6 and 7, 2005, adopted an amended Recommendation (4) which approved the closure and sale of the L-shaped laneway to the property owner of 76 Davenport Road for the agreed-upon price, and subject to the following development and recommendations for the lane, and authorized and directed the appropriate City officials to take the necessary action to give effect thereto:

- (a) that it meets Works and Emergency Services’ requirements;
- (b) that it meets the requirements of Section 3.3(b) of the Official Plan;
- (c) that it accommodate an east-west oriented building;
- (d) that it will not be used to further increase the lot density permission; and
- (e) that it will allow for servicing access to the Moriyama property to the east for any future development; and

WHEREAS the City, Kazoku Investments Limited and the applicant attended a hearing at the Ontario Municipal Board on the refusal of the City to approve a 22-storey tower on this site which resulted in an approval of the project in a decision rendered in Order 1629 on June 5, 2006. The Board in its decision also found that there is sufficient planning merit to including the lane in the development proposal and that the City should be provided an opportunity to revisit this question; and

WHEREAS the applicant has not yet submitted a Site Plan Approval application, however, the standard Works and Emergency Services requirements for the closure and sale of the laneway should apply; and

WHEREAS the Board found no credible planning basis for providing access off the lane to service any future redevelopment of the abutting Kazoku Investments Limited property as no plans, to date, have been submitted to the City or the Board for re-development of that property; and

WHEREAS City Planning staff gave evidence at the Board hearing that the sale of the L-shaped laneway would allow for an additional 2 metres of setback to the north of the entire tower podium, thus allowing sidewalk widening and better streetscape improvements in front of 76 Davenport Road (Parcel 1); and

WHEREAS the applicant has agreed to provide a public art installation along the easterly most portion of the south elevation of the podium and apply the Public Art process requirements of the Official Plan and secure it in a Section 37 Agreement;

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 9, Clause 17, headed 'Refusal Report - Official Plan Amendment and Rezoning Application - 76 and 100 Davenport Road (Ward 27 - Toronto Centre-Rosedale), be re-opened for further consideration, only as it pertains to Recommendation (4);

AND BE IT FURTHER RESOLVED THAT Recommendation (4) be deleted and Council adopt instead the following new Recommendation (4):

‘Approve the closure and sale of the L-shaped laneway to the property owner of 76 Davenport Road for the agreed-upon price and comply with the following revised recommendations for the lane, and authorize and direct the appropriate City officials to take the necessary action to give effect thereto:

- (a) that it meet Works and Emergency Services standard requirements for the closure and sale of the laneway;
- (b) that it will not be used to further increase the lot density permission;
- (c) that the tower podium for 76 Davenport Road (Parcel 1) be set back 2 metres to the north; and
- (d) that there be a public art installation along the easterly-most portion of the south elevation of the podium and that the public art approval process be followed as required by the Official Plan.”

Disposition:

City Council on June 27, 28 and 29, 2006, re-opened Toronto and East York Community Council Report 9, Clause 17, headed 'Refusal Report - Official Plan Amendment and Rezoning Application - 76 and 100 Davenport Road (Ward 27 - Toronto Centre-Rosedale), for further consideration, only as it pertains to Recommendation (4), and adopted the balance of this Motion, without amendment.

Condolence Motions

(1) **Moved by:** Deputy Mayor Pantalone

Seconded by: Mayor Miller

“WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. J. A. (Al) Birney on June 18, 2006, at the age of 75; and

WHEREAS Mr. Birney was a true community leader and unwavering advocate for the rights of people who struggle with mental illness; and

WHEREAS Al Birney embarked on a remarkable effort in 1997 when he assumed the Chair of the ‘Bridge Committee’, at the request of the Schizophrenia Society of Ontario, with a mandate to have installed a suicide prevention barrier at the Bloor Street Viaduct; and

WHEREAS Mr. Birney led this difficult five-year effort with intelligence, grace, humanity, courage, and humour, as well as attention to every detail, including the development and selection of the award-winning ‘Luminous Veil’ design; and

WHEREAS Al Birney’s efforts have saved countless lives through his selfless actions to see the installation of the suicide prevention barrier at the Bloor Viaduct; and

WHEREAS Mr. Birney gave to the people of the City of Toronto and Canada, a dedicated life marked by an important sense of commitment, a spirit of equality and fairness, and so will be sadly missed by all, including countless fellow volunteers, neighbours, friends and family;

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 Kathleen, his children Pamela, John and Mitchell, his grandchildren Sean, Cameron, Joshua and Jacob, his brother Russell and sister Vera, and his many friends and extended family both in Canada and Northern Ireland.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion unanimously.

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

Seconded by: **Mayor Miller**

“WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Ronald S. Gillespie on Tuesday, June 21, 2006, at the age of 75; and

WHEREAS Mr. Gillespie was a long-time resident of the former City of Etobicoke; and

WHEREAS Mr. Gillespie was a long-serving employee of the former City of Etobicoke, having started his more than forty-year municipal career in the Purchasing Department over five decades ago; and

WHEREAS, following his tenure in the Purchasing Department, Mr. Gillespie transferred to the Clerk’s Department, attaining the position of Deputy Clerk and subsequently becoming the Clerk of the municipality in 1988 until his retirement in 1994; and

WHEREAS Mr. Gillespie’s exemplary performance with the former City of Etobicoke included never taking a day off for sick leave during his entire career; and

WHEREAS Mr. Gillespie will be greatly missed and fondly remembered by his many friends and family;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to the family of Mr. Ronald Gillespie.”

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion unanimously.

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

Seconded by: **Councillor Pitfield**

“WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the death of Michael Laidley on the afternoon of Friday, June 23, 2006, in his 22nd year; and

WHEREAS Michael was born in North York and, in 1992, moved with his mother, three brothers and a sister to the Malvern neighbourhood in Scarborough, where the family resides to this day; and

WHEREAS as a youngster, Michael began showing his leadership abilities by volunteering in various recreational, sports and after school programs; and

WHEREAS as a student, Michael exhibited his exceptional abilities in the sport of basketball, as the star player for his high school Mother Teresa Catholic Secondary School; and

WHEREAS Michael was also a star player for the Heron Park Knights, a basketball team in the City-Wide House League program, and participated in the original Youth Games Teams as a member of the championship team from Tall Pines Community Centre; and

WHEREAS the City of Toronto Parks and Recreation staff recognized Michael's leadership abilities and hired him as an employee at the Malvern Recreation Centre in 2002; and

WHEREAS during the time Michael worked at the Malvern Community Recreation Centre, he undertook responsibilities as Rec Connection leader, Youth Drop-in Leader and House League Basketball Coach; and

WHEREAS upon transferring to the Ellesmere Community Centre, Michael carried out responsibilities as Basketball Instructional Leader, After School Leader, Youth Drop-in and Rec Connection Leader, Special Events Leader and March Break Camp Leader; and

WHEREAS during the short time he worked at Ellesmere and Malvern Community Recreation Centres, Michael Laidley developed strong friendships and bonds with both staff and youth, and was well-liked and respected by all;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be requested to convey, on behalf of the Mayor and Members of Toronto City Council, our appreciation for Michael's work with at risk youth and our sincere sympathy to his mother Lenora Baker, sister Desiree and brothers Ray, Myron and Milton."

Disposition:

City Council on June 27, 28 and 29, 2006, adopted this Motion unanimously.

(4) **Moved by:** Deputy Mayor Feldman

Seconded by: Councillor Rae

“WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Ivan B. Forrest on June 26, 2006; and

WHEREAS Mr. Forrest served his Country from 1942 to 1946, seeing service in Western Canada, the Yukon and the European theatre; and

WHEREAS Mr. Forrest was a dedicated employee of the City of Toronto, having served the City for 44 years, including 19 years as the Commissioner of Parks and Recreation, before his retirement in 1983;

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 Lois, his children Kim, Carole and Kevin, his son-in-law Paul and daughter-in-law Susan, his grandchildren, his many nieces, nephews and cousins and his many friends and colleagues.”

Issued: July 4, 2006