

TORONTO CITY COUNCIL DECISION DOCUMENT MEETINGS ON SEPTEMBER 25, 26, 27 and 28, 2006

City Council's actions on each Clause in the following Reports and Notices of Motions considered at the meetings 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:

Toronto and East York Community Council Report 5	1
Administration Committee Report 5.....	1
Toronto and East York Community Council Report 6	2

New Reports:

Policy and Finance Committee Report 7	2
Administration Committee Report 6.....	31
Audit Committee Report 3.....	52
Community Services Committee Report 6	53
Economic Development and Parks Committee Report 6	55
Planning and Transportation Committee Report 6	60
Striking Committee Report 4.....	69
Works Committee Report 6	69
Etobicoke York Community Council Report 7	79
North York Community Council Report 7	101
Scarborough Community Council Report 7	131
Toronto and East York Community Council Report 7	138
Toronto and East York Community Council Report 8	167
Notices of Motions.....	181
Condolence Motions	262

Deferred Clauses:**Toronto and East York Community Council Report 5****55b Evaluation for the Installation of Speed Humps - First Avenue, between Broadview Avenue and Logan Avenue (Ward 30 - Toronto-Danforth)**

City Council on September 25, 26 and 27, 2006, referred this Clause to the General Manager, Transportation Services, for a report to the first meeting of the Toronto and East York Community Council in 2007, on the possibilities for traffic calming on First Avenue at the Logan Avenue intersection.

Administration Committee Report 5**26a Potential Acquisition of 1075 Millwood Road**

City Council on September 25, 26, 27 and 28, 2006, adopted the staff recommendations contained in the Recommendations Section of the confidential report (July 27, 2006) from the Chief Corporate Officer and the General Manager, Parks, Forestry and Recreation. The following staff recommendations contained in the Recommendations Section of the report and Attachment 2 to the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the proposed or pending acquisition of land for municipal purposes:

“It is recommended that:

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

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

Council also considered the following:

- Confidential report (July 27, 2006) from the Chief Corporate Officer and the General Manager, Parks, Forestry and Recreation [Confidential Communication C.1(a)]. The above-noted staff recommendations contained in the Recommendations Section of the report and Attachment 2

to the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the proposed or pending acquisition of land for municipal purposes.

Toronto and East York Community Council Report 6

42a Evaluation for the Installation of Speed Humps - Redwood Avenue, between Gerrard Street East and Walpole Avenue (Ward 30 - Toronto-Danforth)

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

New Reports:

Policy and Finance Committee Report 7

1 Interim Progress Report on the Implementation of Procurement Process Recommendations made by Justice Bellamy

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

2 Policy and Processes for Public Appointments to City Agencies, Boards, Commissions and Corporations and Nominations to External Special Purpose Bodies

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

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

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

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

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

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

- (3) by adding the following:

“That:

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

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

Council also considered the following:

- (September 19, 2006) from the Nominating Committee [Communication 17(a)]; and
- Report (September 22, 2006) from the City Manager [Communication 17(b)].

3 Policy on Donations to the City for Community Benefits

City Council on September 25, 26, 27 and 28, 2006, amended this Clause by adding the following:

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

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

4 Pilot Project - Implementation of an Equity Lens and Equity Impact Statement

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

5 Consolidated User Fee By-law and Solid Waste Management Services Fees

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

6 Enwave - Proposed Changes to the *Toronto District Heating Corporation Act*

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

7 Provincial Ombudsman's Report on the Municipal Property Assessment Corporation: MPAC's Progress in Implementing the Ombudsman's Recommendations

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

8 Property Taxes: 2007 Interim Levy By-law

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

9 Tax Exemption for Woodside Square Library (Ward 41 - Scarborough Rouge River)

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

10 Tax Exemption for Leased Property Occupied by Court Services Division at 481 University Avenue (Ward 27 - Toronto-Centre Rosedale)

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

11 Request for Funding for an Energy Plan for Toronto; and Status Report on the Energy Plan for Toronto - Second Update (All Wards)

City Council on September 25, 26 and 27, 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.

12 Steps Needed to Develop a Western Waterfront Master Plan (Wards 13 and 14 Parkdale-High Park) and a City-Wide Integrated Beach Management Strategy (Wards 6, 13, 14, 19, 20, 28, 30, 32, 36, 43 and 44)

City Council on September 25, 26 and 27, 2006, amended this Clause by adding to Recommendation (2) of the Policy and Finance Committee, the words “other than those already approved by City Council” after the word “measures”, so that Recommendation (2) now reads as follows:

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

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

13 Toronto Transit Commission - Procurement Authorization - 39 New Subway Trains - Proposal P31PD05761

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

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

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

Council also considered the following:

Communications:

- (July 21, 2006) from André Juneau, Deputy Head, Infrastructure Canada, addressed to the Interim Chief General Manager, Toronto Transit Commission, submitted by Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence [Communication 42(a)];
- Confidential communication (April 24, 2006) from the Deputy City Manager and Chief Financial Officer, addressed to the City Solicitor, submitted by Councillor Denzil Minnan-Wong, Ward 34, Don Valley East. [Confidential Communication C.24(a)]. This communication was made public in its entirety on September 25, 2006 [Communication 42(b)]; and

- (September 22, 2006) from Mike Hardt, Vice President, North America Services Bombardier Transportation, addressed to the Acting Chief General Manager, Toronto Transit Commission, submitted by Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence [Communication 42(c)].

14 Toronto Community Housing Corporation - 2005 Annual Report to Shareholder, Audited Consolidated Financial Statements and Annual General Meeting

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

15 Transfer of Support Staff and Budget for the Toronto Licensing Tribunal to Court Services and Updates to the Relationship Framework

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

16 International Disaster Relief Policy and Federation of Canadian Municipalities (FCM) - Technical Partnership between the City of Toronto and Banda Aceh (Indonesia) and Batticaloa (Sri Lanka)

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

17 Association of Community Centres (AOCCs), City of Toronto Relationship Framework

City Council on September 25, 26 and 27, 2006, amended this Clause by amending Article 4.1.9 of the Relationship Framework for the City of Toronto and the Boards of Management for Community Centres to now read as follows:

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

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

18 Customer Service Standards Development and Implementation Plan

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

19 Chair's Progress Report - Roundtable on Access, Equity and Human Rights

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

20 United Nations Report on Canada's Compliance with the Convention on Economic, Social and Cultural Human Rights

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

21 Long Term Sub-Lease of 400 Kipling Avenue to Lakeshore Lions Arena Inc. and Capital Loan Guarantee (Ward 6 - Etobicoke-Lakeshore)

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

22 Reappointment of Members to Community Preservation Panels and the Toronto Preservation Board after Having Served Two Consecutive Terms (All Wards)

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

23 Confidential Information in Staff Reports

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

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

Moved by Councillor Del Grande:

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

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

24 Phase Two Implementation of the Policy on City-Owned Space Provided at Below-Market Rent (All Wards)

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

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

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

- (2) adding the following:

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

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

25 Lobbyist Regulation

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

- (1) adopted Recommendations (II) to (VI) of the Policy and Finance Committee, subject to amending Recommendation (VI), so that Recommendations (II) to (VI), as amended, now read as follows:

“(II) the City Manager be directed to take the steps necessary to implement the lobbyist registry as soon as possible following proclamation of the *City of Toronto Act, 2006*;

(III) the City Manager be directed to immediately start the process of recruiting the Lobbyist Registrar in order to present a list of candidates to a selection panel composed of three Members of the incoming Council following the municipal election;

(IV) the Mayor-elect be authorized to appoint the members of the selection panel from among the Members-elect after the City Clerk has certified the results of the November election;

- (V) the Selection Panel be requested to make a recommendation to City Council on the appointment of a Lobbyist Registrar at the earliest possible opportunity; and
 - (VI) the Lobbyist Registrar be requested to report back to the appropriate Committee, within three months of taking office, on the operation of the Lobbyist Registry, such report to include a review of the groups and organizations which are defined as lobbyists.”;
- (2) referred the balance of the Clause back to the City Manager for further consideration and report to the Executive Committee in January 2007, with a request that the City Manager consider not charging a fee to register as a lobbyist; and
 - (3) referred the following motions to the City Manager for consideration in the preparation of the report to the Executive Committee:

Moved by Councillor Del Grande:

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

Moved by Councillor Giambrone:

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

Moved by Councillor Kelly:

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

- (i) adding to Item (6), ‘Classes of Lobbyist’, the following:
 - (e) unions;
 - (f) non-governmental organizations; and
 - (g) non-ward specific associations’;

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

Moved by Councillor Lindsay Luby:

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

Moved by Councillor Mihevc:

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

Moved by Councillor Moscoe:

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

Moved by Councillor Nunziata:

“That:

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

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

Moved by Councillor Shiner:

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

Moved by Councillor Soknacki:

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

Moved by Councillor Walker:

“That:

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

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

- (ii) Appendix B, headed ‘Lobbyist Registration System’, to the report (August 30, 2006) from the City Manager be amended by adding to Part (15), ‘Information to be Filed in Returns’, the following new Part (m):
- ‘(m) the amount of election contributions made in the past or current election campaigns;’; and
- (iii) all public service unions be under the umbrella of the Lobbyist Registration System.”

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

Council also considered the following:

- Report (September 22, 2006) from the City Solicitor [Communication 41(a)]; and
- Briefing Note (September 26, 2006) from the Strategic and Corporate Policy Division, City Manager’s Office, entitled “Employee and Labour Groups for the Purposes of the Proposed Lobbyist Registry” [Communication 41(b)].

26 Amendments to Code of Conduct for Members of Council

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

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

“It is recommended that:

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

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

- (3) directed that the Code of Conduct for Members of Council include, in principle, Conflict of Interest provisions, but exclude “apparent” Conflict of Interest provisions; and requested the Integrity Commissioner, in consultation with the City Solicitor, to report to the Executive Committee in the first quarter of 2007 on possible provisions; and
- (4) requested the Integrity Commissioner to:
- (i) report to the first meeting of City Council in January 2007:
 - (a) on a more specific Councillors’ Disclosure Policy for assets and liabilities similar to the provincial and federal governments’ policies; and
 - (b) providing an explanation on the difference between Councillors using their office budget rather than spending monies out of their own personal accounts, and elaborate on possible sanctions to Councillors who chose to pay for their own expenditures outside their allocated Councillors’ Global Office Budget; and
 - (ii) monitor the impact of the changes to the Code of Conduct, evaluate whether other changes are necessary, and generally keep the Code of Conduct under review, and report to Council, through the appropriate successor Committee, no later than July 2007.

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

Council also considered the following:

- Report (September 21, 2006) from the Integrity Commissioner [Communication 21(a)].

27 Metropolitan Toronto Police Benefit Fund - Actuarial Valuation for Funding Purposes as at December 31, 2005, and Revised Actuarial Valuation for Funding Purposes as at December 31, 2004

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

28 The Corporation of the City of York Employee Pension Plan, Actuarial Valuation for Funding Purposes as at December 31, 2005

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

29 Metropolitan Toronto Pension Plan Pensioners, Provision of Full-Earnings Pension and Retirement Compensation Arrangement (RCA)

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

30 Sole Source Municipal License Subscription for Bentley Systems Software (All Wards)

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

31 Acquisition of 49 Horsham Avenue for the North York Centre Service Road (Ward 23 - Willowdale)

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

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

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

33 Yorkville Development - Municipal Carpark 215

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

Council also considered the following:

- Confidential report (August 21, 2006) from the President, Toronto Parking Authority [Confidential Communication C.13(a)]. The following staff recommendations contained in the Recommendations Section of the report and the Location Map attached to the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the proposed or pending acquisition of land for municipal purposes:

“It is recommended that:

- (1) City Council approve the purchase of 25 additional spaces at a cost not to exceed \$40,000.00 per space;

- (2) if Recommendation (1) is approved, City Council approve an increase to the Capital Budget for Carpark 215 – Yorkville by \$1,100,000.00 and a corresponding decrease to the Queen/Spadina Capital Project, resulting in a \$0 net impact; and
 - (3) the appropriate City officials be authorized to take the actions necessary to give effect thereto.”; and
- Confidential report (September 21, 2006) from the President, Toronto Parking Authority [Confidential Communication C.13(b)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the proposed or pending acquisition of land for municipal purposes.

[The Location Map will be noted at the end of the Clause.]

34 Project Update and Settlement Report from City of Toronto Economic Development Corporation (“TEDCO”) for 115 Unwin Avenue and City of Toronto-owned Adjacent Lands, Toronto (Ward 30 - Toronto Danforth)

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

Council also considered the following:

- Confidential report (September 11, 2006) from the President and Chief Executive Officer, City of Toronto Economic Development Corporation and the General Manager, Parks, Forestry and Recreation [Confidential Communication C.14(a)]. The following staff recommendations contained in the Recommendations Section of the report and Schedule 1 attached to the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that City Council:

- (1) authorize the City to provide any releases and execute any agreements and other documents required to permit TEDCO to complete and satisfy the requirements of a potential legal settlement between TEDCO and Safety-Kleen Canada Inc. (‘Safety-Kleen’) regarding contamination that has migrated onto City-owned lands from the property municipally known as 115 Unwin Avenue (the ‘TEDCO Property’), which property is owned

by TEDCO and formerly was leased by Safety-Kleen, provided that a full cost-sharing funding protocol has been executed between TEDCO and TWRC and that the terms and conditions of the releases, agreements and documents are satisfactory to the Deputy City Manager responsible for waterfront revitalization (the 'DCM') and the General Manager of the City's Parks, Forestry and Recreation Division (the 'GMPFR');

- (2) authorize the City to enter into or provide any agreements, permits, and other documents that are required to permit TEDCO and TWRC, or either of them, to have access to City-owned lands to which contaminants are migrating or have migrated from the TEDCO Property (the 'City Lands'), which City Lands are located within the area bounded by Cherry Street, Unwin Avenue, Regatta Road and Lake Ontario, in order to install, operate and maintain a contaminant control and ongoing remediation system on the City Lands in conjunction with an ongoing remediation system to be located on the TEDCO Property in accordance with a risk management plan and ongoing remediation plan to be approved by the Ministry of the Environment (the 'MOE'), provided that the terms and conditions of the agreements and other documents are satisfactory to the DCM and the GMPFR;
- (3) authorize the City to execute any documents and take any action that may be required for the registration of one or more records of site condition relating to the City Lands, including registration on title of any notices required by the MOE, provided that the conditions of any records of site condition are satisfactory to the DCM and the GMPFR, and that the DCM and the GMPFR are satisfied that appropriate arrangements are in place for satisfying those conditions;
- (4) authorize the City to execute any agreements, permits and other documents that are required to permit TEDCO or TWRC or both to carry out the work required to construct and develop the transitional sports fields and related amenities (the 'Transitional Sports Fields'), including any necessary remediation work, completion of a risk assessment, registration of one or more records of site condition, registration on title of any notices required or requested by the MOE in accordance with MOE procedures and requirements, and construction and development of the Transitional Sports Fields; and

- (5) authorize and direct the appropriate City officials to execute any releases, agreements or other documents and to take any other action necessary to give effect thereto.”

[Schedule 1 will be noted at the end of the Clause.]

35 Proposed Spadina Subway Extension - Capital Cost Allocation between the City of Toronto and the Regional Municipality of York; and Appointment of Municipal Trustee For the Move Ontario Trust – Proposed Spadina Subway Extension

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

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

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

Council also considered the following:

Communication:

- (September 21, 2006) from Regional Clerk, the Regional Municipality of York [Communication 12(a)].

36 Toronto 2015 World Expo

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

37 Status of Negotiations of Proposed Sale of Surplus Property Portions of 3326 Bloor Street West and 1226 Islington Avenue (Ward 5 - Etobicoke -Lakeshore)

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

- (1) adopted the staff recommendations contained in the Recommendations Section of the confidential report (September 26, 2006) from the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer. The following staff Recommendations (1), (2), (4), (5), (6), (7) and (8) contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the proposed or pending disposition of land for municipal purposes:

“It is recommended that:

- (1) this report be considered with Clause 37, Report 7 of the Policy and Finance Committee;
 - (2) the report from the TTC Commission dated September 20, 2006, entitled ‘Kipling/Islington Redevelopment Strategy - Status of Conceptual Design and Cost Sharing Agreements’, be received for information;
 - (4) TTC staff, in consultation with the appropriate City staff, be requested to commence discussion with MT, GO Transit, the Province of Ontario, and the appropriate federal agencies to establish a cost sharing formula associated with the ownership, construction and operation/maintenance of the regional MT/GO bus terminal facility at Kipling Station (including the replacement of TTC facilities to accommodate MT/GO);
 - (5) spending authority (cashflow) in the amount of \$1.7 million, financed by debt, up to March 31, 2007, be pre-approved as part of the TTC’s 2007 Capital Budget for the purpose of proceeding with design work associated with the redevelopment of the Bloor/Islington Lands;
 - (6) TTC report back with the 2007 Capital Budget Process on what priority this redevelopment project has in the context of the current TTC’s 2006 - 2010 Capital Plan and how this project will affect the 5 year estimates;
 - (7) staff report back to the Policy and Finance and Budget Committee in January 2007 with a business case regarding the proposed Kipling/Islington Redevelopment Strategy and on the status of the cost-sharing negotiations; and
 - (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;
- (2) confirmed the following, as requested by the Toronto Transit Commission in the communication (September 21, 2006) from the General Secretary, Toronto Transit Commission:

“That:

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

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

Council also considered the following:

Communication:

- (September 21, 2006) from the General Secretary, Toronto Transit Commission [Communication 18(a)].
- _____
- Confidential report (September 26, 2006) from the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer [Confidential Communication C.26(a)]. The above-noted staff recommendations (1), (2), (4), (5), (6), (7) and (8) contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the proposed or pending disposition of land for municipal purposes.

38 Increase to Purchase Order 6013516 for Legal Services

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

39 Update on Funding Negotiations with Service Canada for the Provision of Youth Employment Services

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

40 Update on the Progress of ‘Systems of Survival, Systems of Support: An Action Plan for Social Assistance in the City of Toronto’

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

41 Withdrawal from the Social Housing Federal Reserve Fund And Approval of a Loan for Saints Peter and Paul Ukrainian Community Homes and Withdrawal from the Social Housing Stabilization Reserve Fund and Approval of a Loan for First Erdelyi Non-Profit Housing Corporation (Ward 42 – Scarborough Rouge River and Ward 14 - Parkdale High Park)

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

42 2007 Funding Allocations for City of Toronto Homeless Initiatives Fund and Ministry of Community and Social Services Consolidated Homelessness Prevention Program

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

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

43 Mayor’s Roundtable on Seniors Housing Report: “Housing Toronto Seniors - Planning for the Future”

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

44 2003-2006 Highlights and Accomplishments: Mayor’s Roundtable on Seniors and Toronto Seniors’ Forum

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

45 Status Report on 2006 City of Toronto Clean Air Action Plan

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

46 Making Toronto City Hall a Model of Energy Efficiency

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

47 Review of Ontario's *Workplace Safety and Insurance Act* Firefighters' Illness or Disease

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

48 Occupational Health and Safety Report - Second Quarter, 2006

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

49 Implementation Date of the "Harmonized Short-term Disability Plan - Management and Non-Union employees" for Councillors' Staff

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (September 26, 2006) from Richard Majkot, Executive Director, City of Toronto Administrative, Professional, Supervisory Association, Incorporated [Communication 61(a)].

50 Ending Mandatory Retirement – Benefits Coverage for Employees Working Past Age 65

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

Council also considered the following:

- Confidential communication (September 12, 2006) from the Employee and Labour Relations Committee [Confidential Communication C.15(a)]. This communication remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to labour relations or employee negotiations.
-

- Confidential report (September 7, 2006) from the City Manager. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to labour relations or employee negotiations.

51 Employment Standards Complaints against the City of Toronto

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

Council also considered the following:

- Confidential communication (September 12, 2006) from the Employee and Labour Relations Committee [Confidential Communication C.16(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 (September 8, 2006) from the City Solicitor respecting ‘Employment Standards Complaints against the City of Toronto’, such report to be considered in-camera as it relates to litigation or potential litigation.”

-
- Confidential report (September 8, 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.
-
- Confidential report (September 18, 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.

52 Recycling Container Capacity

City Council on September 25, 26, 27 and 28, 2006, amended this Clause by adding the following:

“That the General Manager, Solid Waste Management Services, be requested to report to the second meeting of the Public Works and Infrastructure Committee on measures to address potential problems arising from property challenges and mobility challenges, including methods used in other cities using the cart program.”

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

53 Customs-Trade Partnership Against Terrorism Requirements at City of Toronto Solid Waste Management Transfer Stations

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

54 30 Regent Street Development - Improvements to Arnold Avenue

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

55 Provision of Design and Construction Services for the Plant Facility Security System at the Highland Creek Wastewater Treatment Plant - Request for Proposals 9117-06-7117 (Ward 44 - Scarborough East)

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

56 Options for Implementing a Mandatory Downspout Disconnection Program (City-wide)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

57 Interim Procedures During Council Election (All Wards)

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

58 Proposed Amendments to the Energy Transfer Agreement between Enwave Energy Corporation and the City of Toronto

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

Council also considered the following:

- Confidential report (September 13, 2006) from the General Manager, Toronto Water and the City Solicitor [Confidential Communication C.17(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the municipality:

“It is recommended that:

- (1) the General Manager, Toronto Water be authorized to negotiate, enter into and execute an amending agreement to the Energy Transfer Agreement with Enwave Energy Corporation (‘Enwave’) for the replacement of Enwave’s contractual obligation to provide back-up power supply by way of diesel generation at the John Street Pumping Station with steam driven turbine generation from Enwave’s Simcoe Street Cooling Plant, together with such associated technical amendments, subject to all of the following conditions:
 - (a) any amendments to the Energy Transfer Agreement be satisfactory to the General Manager, Toronto Water, in his sole discretion to ensure such amendments meet the City’s technical and operational requirements;
 - (b) any replacement of the back-up power supply and any related amendments to the Energy Transfer Agreement be at Enwave’s sole expense including any increase to the City’s Water operation and maintenance costs and at no cost to the City;
 - (c) the receipt by the City of additional information in respect of the proposed replacement as may be required by the General Manager, Toronto Water or the City Solicitor and a duly executed and legally binding commitment from each of Enwave and Toronto Hydro-Electric System Limited to ensure that the City’s back-up power entitlements under the Energy Transfer Agreement are maintained in priority to other interests, such commitments to be in a form and on terms and conditions satisfactory to the City Solicitor; and
 - (d) such amending agreement to otherwise be on terms and conditions satisfactory to the General Manager, Toronto Water and in a form satisfactory to the City Solicitor;
- (2) the General Manager, Toronto Water be authorized to negotiate, enter into and execute on behalf of the City any agreement with Enwave and/or Toronto Hydro-Electric System Limited that the City Solicitor may determine

necessary to give effect to Recommendation (1)(c) above; and as may be otherwise necessary to address the operational and technical requirements considered necessary by the General Manager, Toronto Water; and

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

59 Communities in Action Fund Grant for “Building Physically Active Communities”

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

60 Supplementary Report - Application to Amend the Zoning By-law and Draft Plan of Subdivision 05 132083 NNY 08 OZ and 05 132092 NNY 08 SB Walker Nott Dragicevic Associates Ltd. 4700 Keele Street (Ward 8 - York West)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

61 Technical Report on the Release of Statutory Entitlement Funds for Former Metropolitan Toronto Housing Authority Employees to Toronto Community Housing Corporation

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

62 Funding of St. Lawrence Centre for the Arts Operating Deficits for 2004 and 2005

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

63 Funding for St. Lawrence Centre for the Arts Facility Renewal Project

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

64 Arena Boards of Management 2004 and 2005 Operating Surpluses/Deficits Settlement

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

65 Toronto and Region Conservation Authority Capital and Operating Budgets Funding from Water Reserves (All Wards)

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

66 Adjustments to 2006 Operating Budget for Cluster B Divisions (All Wards)

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

67 Operating Variance Report for the Six Months Ended June 30, 2006

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

68 Reserve and Reserve Funds Variance Report June 30, 2006

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

69 Toronto Transit Commission – Surface Vehicle Safety Camera System

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

70 Toronto Transit Commission – Funding Approval for Operator Protective Barriers on Buses and Streetcars

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

71 Toronto Transit Commission - Procurement Authorization Amendment - Option to Purchase 220 40-Foot Low Floor Diesel-Electric Hybrid Orion VII Buses

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

72 Toronto Transit Commission - Procurement Authorization Amendment - Option to Purchase 140-40 Foot Low Floor Diesel-Electric Hybrid Orion VII Buses

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

73 Contract Amendment for Liquidated Damages Orion Bus Industry Supply of Forty Foot Floor City Buses, Contract Ref. No. C32PY04839

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

Council also considered the following:

- Confidential communication (September 15, 2006) from the Budget Advisory Committee [Confidential Communication C.18(a)]. This communication is now public in its entirety and contains the following recommendation:

“The Budget Advisory Committee recommended to the Policy and Finance Committee that City Council adopt the recommendations contained in the confidential communication (July 21, 2006) from the General Secretary, Toronto Transit Commission, to be considered in camera as the subject matter deals with a contract amendment respecting the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in accordance with the *Municipal Act, 2001*.”

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- Confidential communication (July 21, 2006) from the General Secretary, Toronto Transit Commission. This communication remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege.

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- Confidential report (July 19, 2006) from the Interim Chief General Manager, Toronto Transit Commission. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege.

74 Motel Strip Expropriation Proceedings - Gadzala Properties and Proudfoot Settlement Proposal (Ward 6 - Etobicoke-Lakeshore)

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

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

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

Council also considered the following:

- Confidential communication (September 15, 2006) from the Budget Advisory Committee [Confidential Communication C.19(a)]. This communication is now public in its entirety, and contains the following recommendation:

“The Budget Advisory Committee recommended to the Policy and Finance Committee that City Council adopt the recommendations contained in the confidential report (September 7, 2006) from the Deputy City Manager and Chief Financial Officer and the City Solicitor; and the confidential report (September 7, 2006) from the City Solicitor, to be considered in-camera as the subject matter deals with litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, in accordance with the *Municipal Act, 2001*.”

- Confidential report (September 7, 2006) from the Deputy City Manager and Chief Financial Officer and the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege.

 - Confidential report (September 7, 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 which is subject to solicitor-client privilege.
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Deputy Mayor Bussin declared an interest in this Clause, in that she is in the process of purchasing a property in the immediate vicinity.

75 Administration Amendments to Reserve Fund Accounts

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

76 Capital Variance for the Six Months ended June 30, 2006

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

77 Pre-Approval of 2007 Capital Projects Commitment and Spending

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

78 Revised Plan for the 2006/2007 Allocation for the Supporting Communities Partnership Initiative (SCPI)

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

79 To Confirm Funding for the Relocation and Stabilization of the Joy Oil Station Located at 1978 Lake Shore Boulevard West (Ward 13 - Parkdale -High Park)

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

80 Festival Management Committee Report on a “Governance Structure for the 2007 Carnival Festival” and 2006 Festival Audit

City Council on September 25, 26 and 27, 2006, adopted the following staff recommendations in the Recommendations Section of the report (September 22, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) (a) the City provide a line of credit guarantee on behalf of the Toronto Caribbean Carnival Festival (TCCF) to its financial institution in the amount of \$100,000.00 (inclusive of all interest payable by TCCF) for a five month period commencing on October 1, 2006 and ending February 28, 2007;
- (b) the City enter into an agreement with TCCF with respect to the line of credit guarantee; and
- (c) the City enter into a tri-party agreement with TCCF and with its financial institutions with respect to the line of credit guarantee;

- (2) such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor and Deputy City Manager Sue Corke, and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest;
- (3) the City retain the right to withhold a portion of the TCCF's 2007 investment to pay off the line of credit if it is not retired by March 1, 2007 and to receive TCCF's 2006 audited financial statements;
- (4) the guarantee be deemed to be in the interest of the Municipality; and
- (5) the appropriate officials be authorized to take the necessary action to give effect thereto."

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

Council also considered the following:

- Report (September 22, 2006) from the Deputy City Manager and Chief Financial Officer [Communication 40(a)].

81 Increase to the 2006 Toronto Public Health Operating Budget

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

82 Other Items Considered by the Committee

City Council on September 25, 26, 27 and 28, 2006, received this Clause, for information.

Administration Committee Report 6

1 Recipient - 2006-2007 City of Toronto Scholarship in Women's Studies at the University of Toronto

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

2 Recipients - 2006 - Access, Equity and Human Rights Awards

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

3 Contracts for City Advertising in Media Venues and Daily Ethnic and Community Newspapers

City Council on September 25, 26, 27 and 28, 2006, amended this Clause by adding the following:

“That:

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

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

Councillor Silva declared an interest in this Clause, in that he works for CHIN Radio.

4 Contract Amendment - Bell Canada, SAP Contract 47011085, Supply of Cisco Networking Equipment

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

5 Vendors of Record List for IT Placement Firms

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

6 Amend and Repeal Various Purchasing Policies

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

7 Province of Ontario Standing Agreement for the Supply of Digital Photocopier and Facsimile Equipment Services

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

8 Amending the Term of the Compugen Inc. Contracts for Ad-Hoc Contract 470010238 and Sustainment Contract 47011569

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

9 Request for Proposal (RFP) 3405-05-3023 Document Management System Pilot Solutions

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

10 Request for Quotation (RFQ) 6902-06-3226 For the Supply, Delivery and Off-loading of Pre-blended Ethanol Unleaded Gasoline, and Pre-blended Bio-diesel and D-2 Fuels

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

11 Contractors, Consultants and Supplier Performance Evaluations

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

12 City of Toronto Automated Vehicle Location Framework and Protocol

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

13 Agreement with EPO Inc. (operating as epost) for Electronic Bill Presentment and Delivery Services for Water Bills

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

Council also considered the following:

- Confidential report (August 21, 2006) from the Treasurer and the Chief Corporate Officer [Confidential Communication C.2(a)]. This report is now public, with the exception of Appendices A, B and C which are to remain confidential, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information pertaining to the security of the property of the municipality and are subject to solicitor-client privilege. The report contains the following staff recommendations in the Recommendations Section of the report:

“It is recommended that:

- (1) authority be granted to enter into the attached sole source agreement with EPO Inc., attached to this report as Appendices A and B, for electronic water bill presentment and delivery services for a term of five years, with an option for the City to extend the agreement for an additional five-year term subject to Council approval at that time; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

14 New User Fees - Revenue Services Division: Charges for Transferring Overdue Water Bill Amounts to the Tax Roll; and Fees for Applications for the Cancellation, Reduction or Refund of Property Taxes Made Under Section 334 of the *Municipal Act, 2001*

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

15 Tax Adjustment - *Municipal Act, 2001* Sections 357 and 358 Hearing Number 2006H5

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

16 Establishing a Process for the Hearing and Disposition of Applications under Section 337 and Subsection 359(1) the *Municipal Act, 2001* (All Wards)

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

17 Compliance with Travel Expense Policy by Staff and Councillors

City Council on September 25, 26, 27 and 28, 2006, received this Clause.

18 Appointment of Individuals to the 2006 Election Compliance Audit Committee

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

Council also considered the following:

- Confidential communication (August 9, 2006) from the City Clerk [Confidential Communication C.3(a)]. This communication is now public in its entirety and recommends that Council appoint the following individuals to the 2006 Compliance Audit Committee:

“Douglas Colbourne, C. A.,
Ronald B. Love, C.A., and
M. Virginia MacLean, Q.C.”

19 Records Retention By-law Amendment

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

20 Sale of Stratified Portion of 30 Alvin Avenue - Municipal Carpark 12 (Ward 22 - St. Paul's)

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

21 Energy Retrofit Services for Police Headquarters, St. Lawrence Market and Other Buildings under the Jurisdiction of the Facilities and Real Estate Division

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

22 Status Report on the Redevelopment of the St. Lawrence Market North Property (Ward 28 - Toronto Centre - Rosedale)

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

23 Lease Renewal - 1117 Finch Avenue West, Social Services - Lease Renewal (Ward 8 - York West)

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

24 Lease Renewal of Office Space for Toronto Social Services 779 The Queensway (Ward 6 - Etobicoke-Lakeshore)

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

25 Declaration as Surplus - Parcel of Vacant Land Adjacent to 13 Balmuto Street (Ward 27 – Toronto Centre-Rosedale)

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

26 Lease of Child Care Centre at 118 Enderby Road (Ward 32 - Beaches-East York)

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

27 Declaration as Surplus Vacant Land on the West Side of Doris Avenue Between McKee Avenue and Norton Avenue, Abutting 22 Norton Avenue (Ward 23 - Willowdale)

City Council on September 25, 26, 27 and 28, 2006, referred this Clause to the Executive Director, Facilities and Real Estate, and authorized him to have discussions with the abutting property owner to see if they are interested in a possible land exchange which would preserve or enhance local parkland.

28 Declaration as Surplus - Parts of 258 Acton Avenue and 276 Searle Avenue (Ward 10 - York Centre)

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

29 Sale of Surplus Property Parcel of Vacant Land Located on the Southwest Corner of Finch Avenue West and Goldfinch Court and the Adjoining One Foot Reserve Strip (Ward 10 - York Centre)

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

30 Lease Renewal - 20 Lesmill Road - Social Services (Ward 34 - Don Valley East)

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

31 Expropriation of a Portion of 1251 Tapscott Road McNicoll Avenue Extension Project (Ward 42 - Scarborough - Rouge River)

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

32 Settlement of Expropriation - 27 Holmes Avenue - Required for the North York Service Road (Ward 23 - Willowdale)

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

Council also considered the following:

- Confidential report (August 17, 2006) from the Chief Corporate Officer [Confidential Communication C.4(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to potential litigation.

33 Acquiring Land Necessary for the York University Busway (Ward 8 - York West)

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

34 Sale of Surplus City-Owned Property North of Albion Road Between Codlin Crescent and Steeles Avenue West (Ward 1 - Etobicoke North)

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

35 Union Station - Long Term Lease with VIA Rail Canada Inc. (Ward 28 - Toronto Centre - Rosedale)

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

36 Licence Agreement for Public Telephone Equipment With Bell Canada on City of Toronto Properties (Various Wards)

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

37 Lease of Space at 44 Victoria Street (Ward 28 - Toronto Centre-Rosedale)

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

38 Lease of Office Space for Public Health Department Located at 235 Danforth Avenue (Ward 30 - Toronto-Danforth)

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

39 Roundhouse - Lease Amendments with Steam Whistle Inc. and Overall Head Lease to a Single Purpose Ontario Corporation (Ward 20 – Trinity-Spadina)

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

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

‘It is recommended that:

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

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

Council also considered the following:

- Report (September 20, 2006) from the General Manager, Economic Development, Culture and Tourism [Communication 13(a)].

40 Guild Inn Hotel - Lease with Windmill Development Group Ltd. (Ward 43 - Scarborough East)

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

Council also considered the following:

- Confidential report (August 23, 2006) from the Chief Corporate Officer and the General Manager, Economic Development, Culture and Tourism [Confidential Communication C.5(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the security of the property of the municipality or local board:

“It is recommended that:

- (1) authority be granted to the Chief Corporate Officer, in consultation with the General Manager of Economic Development, Culture and Tourism (‘General Manager’) and the Deputy City Manager and Chief Financial Officer (‘DCM/CFO’), to:
 - (a) undertake negotiations with TRCA and the Developer of an Agreement to Lease, including a Direct Lease for the Property and all other related Leasehold Condo Hotel project/Site documentation described in such Agreement to Lease, between TRCA as Owner/Landlord and the Developer as Tenant and the City, as required, based on a Leasehold Condo Hotel project with 200 rooms and on such other terms and conditions, including those of the LOI as amended by this report, as are satisfactory to the Chief Corporate Officer in consultation with the General Manager and the DCM/CFO, in a form satisfactory to the City Solicitor and to report back to Council on the results of those negotiations;
 - (b) undertake negotiations with TRCA for the surrender of the City’s leasehold interest in the Property contingent upon the Direct Lease described above being executed between TRCA and the Developer

- and the City, as required, and on such other terms and conditions as are satisfactory to the Chief Corporate Officer in consultation with the General Manager and DCM/CFO, in a form satisfactory to the City Solicitor and to report back to Council on the results of those negotiations; and
- (c) undertake negotiations with TRCA of a collateral project development/asset management agreement for the Property, contingent upon the Direct Lease described above being executed between TRCA and the Developer and the City, as required, and on such other terms and conditions as are satisfactory to the Chief Corporate Officer in consultation with the General Manager and the DCM/CFO, in a form satisfactory to the City Solicitor, and to report back to Council on the results of those negotiations;
- (2) authority be granted to enter into an amending agreement with the Developer to amend the LOI, as follows:
- (a) by substituting the Direct Lease and a Hotel Project that reflects a Leasehold Condo Hotel project based on 200 rooms for any references to the previously proposed sublease and Hotel Project;
 - (b) by extending the time period for finalizing the form and substance of the sublease documentation therein contemplated (now the Direct Lease documentation) from June 30, 2006, to no later than April 30, 2007, contingent upon:
 - (i) the Developer demonstrating during the period between now and December 31, 2006, or such extension thereof not to exceed January 31, 2007, as may be approved of by the Chief Corporate Officer in consultation with the General Manager (the 'Project Re-Commitment Phase'), a level of progress and commitment to the successful completion of the project as is considered satisfactory by the Chief Corporate Officer in consultation with the General Manager and DCM/CFO; and

- (ii) the Developer and the City being able to resolve their key issues identified above within such period;

failing which, the Chief Corporate Officer in consultation with the General Manager, be authorized in their sole discretion to terminate the LOI as amended and the related negotiations described in Recommendations (1) and (2) above, and following such termination, to provide an information report to Council regarding these matters; and

- (c) on such other terms and conditions as are satisfactory to the Chief Corporate Officer in consultation with the General Manager and DCM/CFO, in a form satisfactory to the City Solicitor;
- (3) funds totalling \$75,000.00 from the Guild Inn Revitalization Reserve Fund XR-3002 be expended on external consultant fees necessary to assist in the development of the Direct Lease, the collateral agreement between the City and TRCA, the Agreement to Lease, and all related Leasehold Condo Hotel project documentation described above, and that the General Manager of Economic Development, Culture and Tourism be directed to review the Culture 5 Year Capital Plan to identify an additional source of funds to complete the balance of the estimated \$210,000.00 in consultant fees;
 - (4) authority be granted to the DCM/CFO and General Manager, as the case may be, in consultation with each other, to obtain on such terms and conditions as are satisfactory to them, in a form acceptable to the City Solicitor, such external consulting services as are considered appropriate to develop an updated appraisal of the Property, for the assessment of the economic viability of the Developer's business case and Leasehold Condo Hotel structure and for the development of satisfactory Developer performance security for the project;
 - (5) the Deputy City Manager and the Deputy City Manager and Chief Financial Officer report back to the Administration Committee no later than May 2007 with the collateral agreement with TRCA and the Agreement to

Lease and Direct Lease documentation, provided the Chief Corporate Officer has not exercised his authority to terminate the LOI and related negotiations described in Recommendations (1) and (2) above; and

- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing.”

41 Acquisition of Provincial Lands Southeast Corner of Black Creek Drive and Eglinton Avenue West (Ward 12 - York South-Weston)

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

42 Acquisition of 80 Queensdale Avenue St. Aloysius Catholic School (Ward 29 - Toronto-Danforth)

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

43 Parkland Acquisition for West Queen West Triangle- Update Report (Ward 18 - Davenport)

City Council on September 25, 26, 27 and 28, 2006, amended this Clause in accordance with the following:

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

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

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

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- (2) request the Director, Community Planning, Toronto and East York District to report to Toronto and East York Community Council in February 2007, with proposed amendments to Zoning By-law 438-86 as outlined in the recommendations of this report and generally in keeping with the principles outlined in the previous staff reports adopted by Council in 2006;
 - (3) request the Director, Community Planning, Toronto and East York District to ensure that any proposed Official Plan Amendments to permit residential uses including holding provisions and that any Zoning By-law Amendments to permit residential development on lands currently zoned 'I', be subject to a holding provision and symbol 'H' as authorized by Section 36 of the *Planning Act* and that removal of the 'H' be subject to the following condition:
 - (a) securing the land for the Sudbury Street extension from its current terminus west of Lisgar Street to the intersection of Queen Street West and Gladstone Avenue;
 - (b) the funding for the construction of the Sudbury Street extension and the timing of the construction has been secured to the satisfaction of the General Manager, Transportation Services; and
 - (c) securing a minimum of 0.4 hectares parkland in the West Queen West Triangle to the satisfaction of the General Manager, Parks, Forestry and Recreation;
 - (4) direct that the development applications with the West Queen West Triangle fulfill all 5 percent parkland dedication requirements through cash-in-lieu of parkland payments, and that the acquisition portion of those payments be directed to the South District Local Parkland Acquisition Reserve Fund XR2208;
 - (5) enact the by-law attached as Schedule B to the Parkland Acquisition for WQWT update report that applies the alternative parkland requirement at a rate of 0.6 hectares of land for every 830 dwelling units, to a maximum of 25 percent of the net site area, be applied to any development or redevelopment site in the West Queen West area equal to or greater than 1 hectare in size;

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

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

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- (14) permit a broader range of uses including galleries, workshops, street-related retail, restaurants, offices, showrooms, cultural facilities and performance venues within the existing MCR and I zoning;
 - (15) direct the Director, Community Planning, Toronto and East York District, to review and recommend any limitations and/or performance standards related to retail, restaurant, performance venue and auto-related uses that may be required;
 - (16) implement a policy of no net loss of non-residential space within the WQWT, to create a vibrant mixed use neighbourhood featuring a significant and secure concentration of creative industries, facilities and individuals, by:
 - (a) specifying that the minimum amount of non-residential gross floor area required be no less than 0.70 times the area of the lot; and
 - (b) specifying the following uses can be included in the calculation of the minimum non-residential gross floor area requirement:
 - (i) non-residential uses permitted in the area as of September 1, 2006, excluding above grade parking structures; and
 - (ii) artist live/work studios;
 - (17) direct the Chief Planner and Executive Director, City Planning, to amend the definition of artist live/work studio to remove the requirement that the studios be part of a social housing project and in place require that they be secured through an agreement with the City which is registered on title as affordable and for the use of artists in consultation with Economic Development, Culture and Tourism, Planning and Legal Divisions;
 - (18) require a minimum of 75 percent of the ground floor areas facing Queen Street West and the proposed east-west Mews to be non-residential uses;

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- (19) require new development in the West Queen West Triangle fronting onto Queen Street West between Abell Street and the rail corridor:
- (a) to be located a minimum of 2.5 m from the Queen Street West property line;
 - (b) rise to a maximum of 13 metres to form a relatively continuous 4 storey street wall parallel to Queen Street West;
 - (c) at no more than 13 metres, provide a minimum 2.0 metre stepback on Queen Street West and, on any corner lots, a minimum 1.5 metre stepback on the flanking street;
 - (d) above the stepback, rise to no more than 25 metres, inclusive of mechanical equipment and any other rooftop projections, and maintain the same sunlight access to the north sidewalk of Queen Street West as would be achieved by buildings which comply with the angular plane requirements of the current MCR zoning;
- (20) direct the Director, Community Planning, Toronto and East York District, to develop and recommend similar principles to those outlined in Recommendation (19) above for the properties fronting onto Queen Street West east of Lisgar Street, based on the additional principles that:
- (a) overall heights along this section of Queen Street West should be lower than those west of Lisgar Street; and
 - (b) permissible building envelopes should complement the existing heritage buildings;
- (21) permit new development on lands currently zoned 'I' to allow buildings up to 18 m, with minimum stepbacks of 1.5 metres at a height of no more than 12 metres;
- (22) permit, on lands currently zoned 'I', a limited number of taller buildings, between 24 metres and 42 metres in height (including mechanical equipment and rooftop projections), as outlined on Attachment 4;

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- (23) request the Director, Real Estate and Facilities, to continue to monitor the Air Rail Link Environmental Assessment process (ARL EA) and continue to periodically contact Canadian National Railway (CN) and GO Transit (GO) regarding the potential purchase of lands from CN/GO, should the ARL EA process determine that certain lands on the north side of the rail corridor are not required to meet long-term rail transportation purposes;
- (24) support, in principle, proposals for privately-funded, publicly accessible pedestrian and bicycle links over the rail corridor;
- (25) acknowledge that CN and GO Transit are agreeable to a 25 metre setback from the rail corridor for residential uses, given certain noise, vibration and crash mitigation measures, and that Council supports the 25 m setback in principle in this context;
- (26) adopt a strategic direction for focused reinvestment in local economic development and the existing cluster of creative industries in the West Queen West Triangle including the application of Section 37 of the *Planning Act* to achieve the following primary objectives:
- (a) achieving a target of 80 units of affordable, secure live/work spaces for artists;
 - (b) retaining or creating affordable, accessible and secure spaces to serve as hubs for the performing and visual arts; and
 - (c) retaining or creating affordable and secure studio and craft workshop space for the arts industry;
- (27) address the need for affordable, accessible community meeting space during the redevelopment of the West Queen West Triangle through:
- (a) use of Section 37 of the *Planning Act*;
 - (b) shared use agreements for portions of residential amenity space required under the Zoning By-law; and/or

- (c) co-location of community meeting facilities with facilities which support the culture industries including spaces such as performance and exhibit halls;
 - (28) encourage proponents of proposed developments to consider the Toronto Green Development Standard;
 - (29) encourage all developments in the WQWT to include dwelling units suitable for families with children at grade in their developments while balancing this with the need for active, non-residential uses at grade;
 - (30) request staff to report on the appropriateness of implementing a Community Improvement Plan for the WQWT; and
 - (31) authorize and direct the appropriate City officials to take the necessary actions to implement the recommendations above including but not limited to amending Council directions for the development applications of 150 Sudbury, 1171 Queen Street West, 48 Abell Street and 45 Lisgar Street and the Official Plan and Area Zoning Review of WQWT.”; and
- (2) Recommendations (1), (2), (3) and (4) contained in the Recommendations Section of the confidential report (September 27, 2006) from the City Solicitor. Recommendations (2), (3) and (4) are now public, together with Schedule A, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation:

“It is recommended that:

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

- (4) if Council adopts Recommendations (2) to (4), those recommendations be made public;”.

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

Council also considered the following:

- Report (September 27, 2006) from the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation [Communication 68(a)].
- Confidential report (September 27, 2006) from the City Solicitor [Confidential Communication C.28(a)]. The above-noted staff Recommendations (2), (3) and (4) 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 and also related to the security of the property of the municipality.

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

44 Options for Relocating the Toronto Public Health Facility at 1115 Queen Street West known as the Beatrice Lillie Health Centre (Ward 18 - Davenport)

City Council on September 25, 26, 27 and 28, 2006, referred this Clause to the appropriate successor Committee for consideration of the options and appropriate policy recommendations and subsequent consideration as part of the 2007 budget process.

Council also considered the following:

- Report (September 21, 2006) from the Chief Corporate Officer [Communication 32(a)].
- Confidential report (August 25, 2006) from the Chief Corporate Officer [Confidential Communication C.6(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to the proposed or pending acquisition of land for municipal or local board purposes.

45 Long Term Land Lease of a Portion of Basin Street, West of Bouchette Street and a Portion of Saulter Street South, Extending Northerly from Basin Street to Commissioners Street - Status of Negotiations (Ward 30 - Toronto -Danforth)

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

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

‘It is recommended that:

- (1) the City enter into a ninety-nine (99) year lease agreement with TEDCO for a portion of Basin Street, west of Bouchette Street and a portion of Saulter Street South, shown as Parts 1, 2 and 3 on Sketch No. PS-2005-135 (the “Highways”), substantially on the terms and conditions outlined in Appendix “A” to this report and on such further terms as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor;
- (2) authority be granted to the Chief Corporate Officer to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matter (including their consent) to City Council for its determination and direction; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

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

Council also considered the following:

- Report (September 20, 2006) from the Chief Corporate Officer [Communication 31(a)].

46 RecruitAd Advertising Services - Contract 47009998

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

47 Other Items Considered by the Committee

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

Audit Committee Report 3**1 Review of the Administration of Leases on City-owned Property**

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

2 Management of Construction Contracts - Reconstruction of Queensway Eastbound Lanes

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

3 2005 Sinking Fund Financial Statements

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

4 2005 Financial Statements for Agencies, Boards and Commissions

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

5 2005 Audited Consolidated Trust Funds Financial Statements

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

6 2005 Audited Financial Statements for Community Centre 55

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

7 2005 Audited Financial Statements of Business Improvement Areas

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

8 2005 Audited Financial Statements for the City of Toronto Pension Plans

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

9 Other Items Considered by the Committee

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

Community Services Committee Report 6**1 Request for Quotation (RFQ) 6145-06-3005 for the Supply and Delivery of Ambulances for Emergency Medical Services**

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

2 Request for Quotation (RFQ) 6115-06-3144 for the Supply and Delivery of Fifteen (15) latest Model Triple Combination Fire Pumper Trucks

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

3 Toronto Fire Services Participation in the Resuscitation Outcomes Consortium Five Year Study and the Loan of 170 Automated External Defibrillators (AED) Monitor Zoll Defibrillators

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

4 Renewal of Memorandum of Understanding with the Province of Ontario for the Heavy Urban Search and Rescue Team

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

5 Memorandum of Understanding with the Province of Ontario for a Chemical, Biological, Radiological and Nuclear Team

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

6 Fire Prevention Actions to Improve False Fire Alarm Systems and Amendment to Clarify Toronto Municipal Code 441 - False Fire Alarm Fees

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

7 Proposal for a Purchase of Service Agreement to Provide Supportive Housing Services at Dundas Street West/Mabelle Avenue

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

8 Proposed Alliance and Lease Agreement Between Bendale Acres and the Scarborough Regional Dialysis Service

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

9 Appointment to the Advisory Committee on Homes for the Aged

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

10 Approval of Best Start Funds for Regent Park Child Care Centre

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

Councillor Moscoe declared an interest in this Clause, in that his daughter is a part-time childcare worker employed by the City of Toronto.

11 Funding Required to Restore Phase II Capital Projects

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

Councillor Moscoe declared an interest in this Clause, in that his daughter is a part-time childcare worker employed by the City of Toronto.

12 Authority to Execute and Administer the Purchase of Service Contracts for Shelter Services, Personal Needs Allowance, Habitat Services, Motels and the Toronto Hostels Training Centre

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

Council also considered the following:

- Report (September 22, 2006) from the General Manager, Shelter, Support and Housing Administration [Communication 22(a)].

13 Homelessness and Incarceration Research

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

14 Selling Clothing Items with City and/or Division Logos

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

15 Other Items Considered by the Committee

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

Economic Development and Parks Committee Report 6

1 War of 1812 Bicentennial (Ward 19 Trinity-Spadina)

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

2 Canada's Walk of Fame - Results from Design Competition (Ward 20 Trinity-Spadina)

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

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

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

3 Results of the 2006 Commercial Façade Improvement Program (CFIP) for Business Improvement Areas (BIAs) (All Wards)

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

4 Poll Results - Proposed Designation of the Malta Village Business Improvement Area (BIA) (Ward 13 Parkdale-High Park)

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

5 Poll Results - Proposed Designation of the Chinatown Business Improvement Area (BIA) (Ward 20 Trinity-Spadina)

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

6 Poll Results - Proposed Designation of the Sheppard East - Agincourt Village Business Improvement Area (BIA) (Wards 41 and 42 Scarborough-Rouge River)

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

7 Intention to Expand the Roncesvalles Village Business Improvement Area (BIA) (Ward 14 Parkdale-High Park)

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

8 Poll Results - Proposed Expansions of the St. Lawrence Market Neighbourhood and the Bloor-Yorkville Business Improvement Areas (BIAs) (Wards 27 and 28 Toronto Centre-Rosedale)

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

9 Poll Results - Proposed Merger of the Upper Village (York) Business Improvement Area and the Upper Village (Toronto) Business Improvement Area (Ward 21 St. Paul's)

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

10 2006 Cavalcade of Lights Program - Rosedale Main Street BIA Agreement with CP Rail (Ward 27 Toronto Centre-Rosedale)

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

11 Rosedale Main Street Business Improvement Area (Ward 27 Toronto Centre-Rosedale)

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

12 Intention to Reduce the Boundaries of the York-Eglinton Business Improvement Area (BIA) and to Create a New BIA in the Area Within the Current York-Eglinton BIA that is West of Dufferin Street (Ward 15 Eglinton-Lawrence and Ward 17 Davenport)

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

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

“It is recommended that:

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

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

Council also considered the following:

- Report (September 14, 2006) from the General Manager, Economic Development, Culture and Tourism [Communication 8(a)].

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

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

14 Transfer of Ownership of Rosa and Spencer Clark Collection (Ward 43 Scarborough East)

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

15 Strategies for a Creative City Report (All Wards)

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

16 Community Arts Stakeholders Report and Consultation (All Wards)

City Council on September 25, 26, 27 and 28, 2006, amended this Clause by adding the following:

“That the following motion be referred to Deputy City Manager Sue Corke, for a report to the appropriate Committee on the policy considerations of the motion, the report to be presented prior to the 2007 Operating Budget:

Moved by Councillor Moscoe:

‘That:

- (1) in future, all the recipients of Arts Grants in excess of \$250,000.00 be required to assign a fixed percentage of their grant to community outreach programs;
- (2) the matter of establishing the appropriate percentage be referred to the General Manager, Economic Development, Culture and Tourism, for a report to the appropriate successor Committee;
- (3) included in the outreach policy must be a component that occurs off-site from their home facilities; and
- (4) the General Manager, Economic Development, Culture and Tourism, be requested to report to the appropriate successor Committee, on options for implementation of this policy.’ ”

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

17 Culture Build Investment Program - Additional Criteria (All Wards)

City Council on September 25, 26, 27 and 28, 2006, amended this Clause by adding the following:

“That the following motion be referred to Deputy City Manager Sue Corke for consideration and report to the appropriate Committee:

Moved by Councillor Moscoe:

‘That:

- (1) the community access strategy submitted by applicants be reviewed and evaluated by staff and approved annually; and
- (2) organizations that do not deliver on promised outreach activities be required to appear before the appropriate Committee in order to secure future grants.’ ”

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

18 New Operating Grant Agreement and State of Good Repair Capital Investment Program for Harbourfront Centre (Ward 20 Trinity-Spadina)

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

19 Tree Maintenance - Planning Programs (All Wards)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

20 Potential Removal of Peanut and Nut Products from Parks, Forestry and Recreation Facilities (All Wards)

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

21 Renewal of Management Agreement, Humber Arboretum (Ward 1 Etobicoke North)

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

22 Unsolicited Proposal - Tuggs Incorporated Investment Proposal for Redevelopment of the Eastern Beaches Food Service Facilities (Ward 32 Beaches-East York)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

23 Other Items Considered by the Committee

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

Planning and Transportation Committee Report 6

1 Arts District Zoning By-law Amendment North York District Application No. 06 156338 NPS 00TM Ward 15 and 17 – North York and Etobicoke York Districts

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

2 Residential Front Yard Parking Zoning By-law Amendments

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

Council also considered the following:

Communication:

- (September 5, 2006) from Donald W. Kerr [Communication 5(a)].

3 Amendments to the *Ontario Heritage Act* Regarding Demolition of “Listed” Heritage Properties, Confirmation of the Status of Existing “Listed” Heritage Properties and Delegation of Authority to Staff to Agree to Extend Time Limits for Certain Council Decisions under the *Ontario Heritage Act*

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

Council also considered the following:

Communication:

- (September 1, 2006) from the Executive Director, Heritage Toronto [Communication 4(a)].
-

Councillor Shiner declared an interest in this Clause, in that his family owns property which is being considered for a heritage designation.

4 Update on the Smart Commute Initiative and the City's Efforts in Transportation Demand Management

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

5 Don Mills Road Transit Improvements Environmental Assessment Draft Terms of Reference (Don Valley East, Don Valley West, Toronto Centre -Rosedale, Toronto-Danforth)

City Council on September 25, 26 and 27, 2006, amended this Clause by deleting Recommendation (1) of the Planning and Transportation Committee and replacing it with the following:

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

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

6 User Fees for the Bicycle Locker Pilot Project

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

7 Commuter Attitudinal Survey - 2005 Bulletin

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

8 Harmonized Residential Demolition Control By-law Under Section 33 of the Planning Act

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

Council also considered the following:

Communication:

- (September 1, 2006) from the Executive Director, Heritage Toronto [Communication 6(a)].

9 Extension of Interim Control By-law for the Castlefield Caledonia Design and Decor District Ward 15 – Eglinton-Lawrence and Ward 12 York South-Weston

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

Council also considered the following:

Communications:

- (September 19, 2006) from Brent K. Duguid, Loopstra Nixon LLP, [Communication 20(a)]; and
- (September 20, 2006) from Brent K. Duguid, Loopstra Nixon LLP, [Communication 20(b)].

Councillor Mammoliti declared an interest in this Clause, in that his wife owns property in the area.

10 The Growth Plan for the Greater Golden Horseshoe

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

11 Site Plan Approval Applications

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

12 Cost Sharing Options and Appropriate Mechanisms for Contributing to the Construction of the Sudbury Street Extension in the West Queen West Area (Ward 18 - Davenport)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

13 Noise from Loudspeakers and Other Devices Intended for the Amplification of Sound

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

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

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

Council also considered the following:

Communication:

- (September 25, 2006) from James L. Robinson, Executive Director, Downtown Yonge Business Improvement Area [Communication 43(a)].

14 Feasibility of Requiring Professional Bicycle Couriers to be Licensed

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

Council also considered the following:

Communication:

- (September 5, 2006) from Councillor Cesar Palacio, Ward 17, Davenport [Communication 7(a)].

15 Operation of Construction Equipment in Residential Neighbourhoods on Sundays and Statutory Holidays within 100 metres of any Residential Dwelling Units

City Council on September 25, 26, 27 and 28, 2006, referred this Clause, together with the following motions, to the Executive Director, Municipal Licensing and Standards, in consultation with the General Manager, Transportation Services for a report to the Licensing and Standards Committee at its first meeting in 2007:

Moved by Councillor McConnell:

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

Moved by Councillor Moscoe:

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

Moved by Councillor Soknacki:

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

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

Council also considered the following:

- Report (September 18, 2006) from the Executive Director, Municipal Licensing and Standards [Communication 3(a)].

16 Proposed Amendments to the City of Toronto Municipal Code Chapter 545 Licensing Regarding Hours of Operation for Body Rub Parlours

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

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

Council also considered the following:

- Report (September 21, 2006) from the City Solicitor [Communication 29(c)].

Communications:

- (September 22, 2006) from David Pomer, Pomer and Boccia Professional Corporation [Communication 29(a)]; and
- (September 20, 2006) from Noel D. Gerry, Barrister and Solicitor [Communication 29(b)].

17 2006 Ontario Building Code

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

18 Access and Routine Disclosure of Building Plans

City Council on September 25, 26 and 27, 2006, amended this Clause in accordance with the staff recommendations contained in the Recommendations Sections of the supplementary report (September 20, 2006) from the Chief Building Official and the Executive Director, Building Division and the Director, Corporate Access and Privacy, City Clerk's Office, subject to amending Recommendation (2), so that the recommendations, as amended, now read as follows:

“It is recommended that City Council:

- (1) delete Recommendations (3) and (4) [of the Planning and Transportation Committee] contained in Clause 18, Report 6 of the Planning and Transportation Committee; and

- (2) endorse the Building Division's revised Policy on Access to Building Plans, as outlined in this report, subject to amending Provision (2)(c) to now read as follows:

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

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

Council also considered the following:

- Report (September 20, 2006) from the Chief Building Official and the Director, Corporate Access and Privacy [Communication 19(a)].

- Confidential report (August 21, 2006) from the City Solicitor [Confidential Communication C.20(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege.

19 Process to Address Tree Preservation Requirements Related to Development and Construction Applications

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

Council also considered the following:

- Confidential report (August 23, 2006) from the City Solicitor [Confidential Communication C.21(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege.

20 Ridership Growth Strategy - Status Update

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

21 Proof-of-Payment Fare Collection at the TTC

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

22 Russell Hill Subway Train Accident Due Diligence Checklist Update

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

23 Scarborough RT Strategic Plan

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

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

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

Council also considered the following:

- (August 30, 2006) entitled “Replacement of the Scarborough Rapid Transit (SRT) System - Scarborough Councillors’ Position”, submitted by Councillor Thompson, Ward 37, Scarborough Centre [Communication 53(a)].

24 Gardiner Expressway – Request for Reports

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

25 Partial Settlement of Appeals to the New Official Plan - Section 37 Policies

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

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

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

Council also considered the following:

Communication:

- (September 25, 2006) from Paula J. Tenuta, Director, Municipal Government Relations, Greater Toronto Home Builders' Association [Communication 44(a)].

-
- Confidential report (August 21, 2006) from the City Solicitor [Confidential Communication C.7(a)]. The following staff recommendations contained in the Recommendations Section of the report, and Appendix A and B 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 revised Section 37 policies as set out in Appendix A to this report, to replace the policies currently before the OMB (set out in Appendix B); and
- (2) the City Solicitor be authorized to take the necessary action at the upcoming continuation of the Ontario Municipal Board hearing to give effect to the proposed settlement modifications.”

[Appendices A and B will be noted at the end of the Clause.]; and

- Confidential report (August 24, 2006) from the City Solicitor [Confidential Communication C.7(b)]. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) Council approve the deletion of the third introductory (unshaded) paragraph of Section 5.1.1. Height and/or Density Incentives from the Plan; and

- (2) the City Solicitor be authorized to take the necessary action at the upcoming continuation of the Ontario Municipal Board hearing to give effect to this additional settlement modification.”

26 Other Items Considered by the Committee

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

Striking Committee Report 4

1 Appointment of Member of Council to Toronto Transit Commission to Replace a Vacancy

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

Works Committee Report 6

1 CEAT - Public Consultation on Terms of Reference for Environmental Assessment of a Long-Term Post-Diversion Solid Waste Management System

City Council on September 25, 26, 27 and 28, 2006, amended this Clause by adding the following:

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

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

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

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

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

Council also considered the following:

- Confidential communication (September 20, 2006) from Councillor Shelley Carroll, Chair, CEAT Nominating Panel and Works Committee [Confidential Communication C.22(a)]. This communication is now public in its entirety and contains the above-noted recommendation.

2 2005 Expenditures Against Sole Source Contract 47009985 - Ontrac Equipment

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

3 2007 Divisional Estimated Budget Request for Waste Diversion Programs

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

4 Recycling of Fluorescent Tubes and Other Light Bulbs Containing Hazardous Materials

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

5 Planning Study for an Expanded SSO Processing System Status Report

City Council on September 25, 26 and 27, 2006, amended this Clause by deleting Recommendation (b) of the Works Committee, and replacing it with the following:

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

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

Council also considered the following:

- Confidential Attachment 1 to the report (August 25, 2006) from the General Manager, Solid Waste Management Services [Confidential Communication C.8(a)]. This Attachment 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.

6 Legal Proceedings to Recover Payment of Sums Due Under Contract to Purchase White Goods and Other Scrap Metals

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

Council also considered the following:

- Confidential report (August 16, 2006) from the City Solicitor [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 pertaining to litigation or potential litigation:

“It is recommended that:

- (1) authority be granted to the City Solicitor to continue legal proceedings against Turtle Island Recycling Company Inc. (‘Turtle Island’), to appeal any decision where warranted, to discontinue or settle such claim or action where it is concluded that it is reasonable to do so and execute any documents in furtherance thereof, all in consultation with the General Manager of Solid Waste Management Services; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the execution of any necessary documents.”

7 Infrastructure Improvements in the Fort York and Railway Lands West Neighbourhoods Class Environmental Assessment Study (Ward 19, Trinity-Spadina and Ward 20, Trinity-Spadina)

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

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

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

8 Pedestrian Crossover Review (Part II) - Minor Arterial Roadways (All Wards)

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

9 Proposed Zebra Crosswalk Policy (All Wards)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

10 Proposed Mid-block Pedestrian Signal on Royal York Road, South of Government Road (Ward 5, Etobicoke-Lakeshore)

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

11 Housekeeping Amendments to Various Traffic By-laws (All Wards)

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

12 Proposed Speed Limit Increase on Lake Shore Boulevard West between the Humber River and a Point 450.0 metres West of the Humber River, for Westbound Traffic (Ward 6, Etobicoke-Lakeshore)

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

13 Pavement Degradation Fees (All Wards)

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

14 Durham Boundary Facilities Agreement - Kingston Road Bridge Over the Rouge River (Ward 44, Scarborough East)

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

15 Mississauga Boundary Facilities Agreement (Ward 3, Etobicoke Centre, Wards 5 and 6, Etobicoke-Lakeshore)

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

16 Municipal Access Agreement for Telecommunications Installations - Metro Fibrewerx Inc. (All Wards)

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

17 Municipal Access Agreement for Telecommunications Installations - Rogers Communications Inc. (All Wards)

City Council on September 25, 26, 27 and 28, 2006, amended this Clause by:

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

“(2) By-law 211-74 of the former Municipality of Metropolitan Toronto be amended to repeal the requirement for the payment of special application and annual permit renewal fees by federally regulated CATV companies; and”.

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

Council also considered the following:

- Confidential report (August 28, 2006) from the General Manager, Transportation Services [Confidential Communication C.10(a)(i)]. 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 litigation or potential litigation:

“It is recommended that:

- (1) approval be given to enter into a Municipal Access Agreement with Rogers Communications Inc. to replace a number of pre-amalgamation agreements and to authorize the construction, installation, maintenance and operation of

fibre optic and other cables, conduit and ancillary plant in the City of Toronto public highways, and incorporating the terms as set out in this report and such other terms and conditions as may be satisfactory to the General Manager of Transportation Services and the City Solicitor;

- (2) By-law 211-74 of the former Municipality of Metropolitan Toronto be amended to repeal the requirement for the payment of special application and annual permit renewal fees by federally regulated CATV companies; and
 - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;
- Confidential communication (September 11, 2006) from Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence [Confidential Communication C.10(a)(ii)]. This communication 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 (September 20, 2006) from the General Manager, Transportation Services [Confidential Communication C.10(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.

18 Regent Park Revitalization Project - Agreement with Toronto Community Housing Corporation for the Installation of Community Energy Distribution Piping in Various Public Streets (Ward 28, Toronto Centre-Rosedale)

City Council on September 25, 26 and 27, 2006, amended this Clause in accordance with the following staff recommendations in the Recommendations Section of the report (September 22, 2006) from the General Manager, Transportation Services:

“It is recommended that:

- (1) the scope of the proposed agreement with Toronto Community Housing Corporation (TCHC) to authorize the construction, installation, maintenance and operation of a community energy system (hot and chilled water distribution and ancillary plant) in the City of Toronto streets, be extended to encompass an electrical distribution system, generally under the terms and conditions set out in the August 24, 2006 staff report and other such terms and conditions as may be satisfactory to the City Solicitor and General Manager, Transportation Services;

- (2) the cost allocation formula for any relocation of plant for bona fide municipal purposes installed pursuant to the proposed Agreement be based on a sliding scale such that any such costs incurred during the first five years be the responsibility of the City, costs from that point to Year 15 be subject to a straight-line sliding scale and thereafter be the sole responsibility of the TCHC;
- (3) the City Solicitor be authorized to refine the applicable terms of the Agreement to permit TCHC to provide connections to buildings lying along a route where required by law if requested by the building owner/occupant; and
- (4) Clause 18 of Works Committee Report 6 be adopted as amended by the Recommendations of this report.”

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

Council also considered the following:

- Report (September 22, 2006) from the General Manager, Transportation Services [Communication 56(a)].

19 Exemption from On-Street Parking Permit Fees for Motorized Scooters and Motorcycles

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

20 Staff Participation in Melbourne Walk21 2006 Conference (All Wards)

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

21 Speed Hump Poll Results - Winona Drive Between Hursting Avenue and Earlsdale Avenue (Ward 17, Davenport and Ward 21, St. Paul's)

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

22 Ice Cream Lane - Request for City to Assume Lane

City Council on September 25, 26, 27 and 28, 2006, adopted the following staff recommendation contained in the Recommendation Section of the report (September 25, 2006) from the Executive Director, Technical Services and the General Manager, Transportation Services:

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

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

Council also considered the following:

- Report (September 25, 2006) from the Executive Director, Technical Services, and the General Manager, Transportation Services [Communication 59(a)].

23 Contract 06FS-48WP, Tender Call 160-2006 - Humber Treatment Plant - Upgrade of Waste Activated Sludge Thickening Facility (Ward 5, Etobicoke -Lakeshore)

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

24 Amendment to Contract Nos. 47008325, 47008356, 47008367,47008854 - Contracted Professional Services for District Transportation and Toronto Water Capital Projects - Request for Proposals 9117-03-7232 (All Wards)

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

25 Contract 06EY-13RD, Tender Call 179-2006 - Earls court Community Road Reconstruction, Including Storm and Sanitary Sewers (Ward 15, Eglinton -Lawrence and Ward 17, Davenport)

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

26 General Conditions for Construction Contracts and the Pre-selection of Equipment

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

27 Drain Grant Appeal - 113 Hove Street (Ward 10)

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

28 2007 Interim Water and Wastewater Rate (All Wards)

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

29 Request for Quotations 6617-06-3042 and 6617-06-3043 for the Supply and Delivery of Polyelectrolytes for the Period January 1, 2007 to December 31, 2009 (Wards 32 and 44)

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

30 Rebates of Sewer Service Surcharges to Consumers that are on Septic Systems (City-wide)

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

31 Proposed Rehabilitation of Municipal and Private Sanitary Service Connection - Environment Canada Building at 4905 Dufferin Street - Request to Enter into an Agreement to Undertake Work on Private Property (Ward 10)

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

32 Proposed Rehabilitation of Municipal and Private Sanitary Service Connections - Pilot Project - Request to Enter into Agreements to Undertake Works on Private Property (Ward 25)

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

33 Funding Support From Environment Canada's Great Lakes Sustainability Fund for Specific Projects of the City's Wet Weather Flow Master Plan (Wards 26, 29, 30 and 32)

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

34 Partnership with the University of Toronto to Investigate Optimization of Drinking Water Treatment Through Pilot-Plant Studies (All Wards)

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

35 Implementation and Compliance Monitoring Committee's Sixth Interim Compliance Report (City-wide)

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

36 Update on the Basement Flooding Protection Subsidy Program (Formerly Known as the Voluntary Private Home Isolation Program) (City-wide)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

37 Preliminary Assessment of Options to Address Surface Flooding During Extreme Storms in the Eastern Beaches Area of Ward 32

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

38 Water Meter Replacement and Fixed Area Network (FAN) Automated Meter Reading Project Request for Proposal Procurement Process

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

Council also considered the following:

- Confidential report (August 28, 2006) from the Treasurer and the General Manager, Toronto Water [Confidential Communication C.11(a)]. The following staff Recommendations (1) and (3) contained in the Recommendations Section of the report, and Appendices A and B 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) staff be authorized to proceed with a Request for Proposal process, in compliance with City of Toronto policies, for the procurement of water meters and a Fixed Area Network radio-based automated water meter reading system for the City;

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

[Appendices A and B are on file in the City Clerk’s Office.]

39 Don and Waterfront Interceptor Trunk Capacity and CSO Control Project (Wards 19, 20, 26, 27, 28, 29, 30, 31, 32 and 35)

City Council on September 25, 26 and 27, 2006, amended this Clause in accordance with the following recommendation of the Policy and Finance Committee, contained in the communication (September 18, 2006) from the Committee:

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

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

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

Council also considered the following:

Communication:

- (September 18, 2006) from the Policy and Finance Committee [Communication 35(a)].

40 Other Items Considered by the Committee

City Council on September 25, 26, 27 and 28, 2006, received this Clause, for information.

Etobicoke York Community Council Report 7

1 Draft By-law Naming of Proposed Private Lanes at 77 Janda Court as “Frost King Lane” and “Pedigree Mews” (Ward 2 - Etobicoke North)

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

2 Draft By-law Naming of Proposed Private Lane at 1100 Islington Avenue as “Furrow Lane” (Ward 5 - Etobicoke-Lakeshore)

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

3 Draft By-law Naming of Proposed Private Lane at 977 to 981 Kipling as “Streight Lane” (Ward 5 - Etobicoke-Lakeshore)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

4 Draft By-law naming of Proposed Private Lane at 17 Frith Road as “Lambrinos Lane” (Ward 7 - York West)

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

Councillor Mammoliti declared an interest in this Clause, in that his parents live in the immediate area.

5 Request for Approval of Variances from Chapter 215 Signs, of the former City of Etobicoke Municipal Code 452 Rathburn Road (Ward 3 - Etobicoke Centre)

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

6 Application for an Exemption to Toronto Municipal Code Chapter 447, Fences, - 2553 Lakeshore Boulevard West (Ward 6 - Etobicoke-Lakeshore)

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

7 Request for Approval of Variances from Chapter 297 Signs, of the former City of Toronto Municipal Code 1169 St. Clair Avenue West (Ward 17 - Davenport)

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

Council also considered the following:

Communications:

- (September 21, 2006) from Alison Gorbould, Toronto Public Space Committee [Communication 15(a)(1)];
- (September 21, 2006) from Albert Kwan [Communication 15(a)(2)];
- (September 21, 2006) from Amy Stewart, DW Communications [Communication 15(a)(3)];
- (September 21, 2006) from Stewart Russell [Communication 15(a)(4)];
- (September 22, 2006) from Heather McDonald [Communication 15(a)(5)];
- (September 22, 2006) from Stacy Douglas [Communication 15(a)(6)]; and
- (September 22, 2006) from Catherine Doyle [Communication 15(a)(7)].

Councillor Mammoliti declared an interest in this Clause, in that his wife owns a business in the area.

8 Removal of One Privately-Owned Tree - 17 Elsfield Road (Ward 5 - Etobicoke-Lakeshore)

City Council on September 25, 26 and 27, 2006, referred this Clause back to the Etobicoke York Community Council for further consideration at its meeting in January 2007, with a request that the General Manager, Parks, Forestry and Recreation review the additional materials submitted by the applicant and reinspect the property at 17 Elsfield Road.

Council also considered the following:

Communication:

- (September 22, 2006) from Nico Poulos and Leila MacDonald [Communication 28(a)].

9 Application for an Exemption to Toronto Municipal Code Chapter 447, Fences; 14 Sunset Avenue (Ward 6 - Etobicoke-Lakeshore)

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

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

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

11 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 172 Pacific Avenue (Ward 13 - Parkdale-High Park)

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

12 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 375 Pacific Avenue (Ward 13 - Parkdale-High Park)

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

13 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 263 Windermere Avenue (Ward 13 - Parkdale -High Park)

City Council on September 25, 26 and 27, 2006, adopted the following:

“That:

- (1) Council receive the staff recommendation contained in the Recommendation Section of the report (August 7, 2006) from the Director, Transportation Services, Etobicoke York District; and
- (2) the request for an exemption to the former City of Toronto Municipal Code for Front Yard Parking at 263 Windermere Avenue be granted with the following conditions:
 - (a) the front yard parking pad must provide a minimum width of 2.6 metres and a minimum length of 5.5 metres;
 - (b) the applicant pays all applicable fees and complies with all other criteria described in the former City of Toronto Municipal Code;

- (c) the applicant paves the front yard parking pad with semi-permeable materials such as ecostone pavers, interlocking pavers or an equivalent treatment that is acceptable to the General Manager;
- (d) the applicant plants a tree in their front yard or funds the planting of a tree in the neighbourhood and complies with any requirements from Parks and Recreation, Forestry Division relating to the protection, removal and/or relocation of any existing trees located in the front yard of the property or within the Windermere Avenue right-of-way;
- (e) the existing on-street parking permit issued to this address is cancelled following construction of the front yard parking pad; and
- (f) the applicant satisfies these conditions at no expense to the Municipality.”

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

14 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 110 Pine Crest Road (Ward 13 - Parkdale-High Park)

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

15 Request for Approval of Variances from Chapter 297 Signs, of the former City of Toronto Municipal Code 1293 St. Clair Avenue West (Ward 17 - Davenport)

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

Council also considered the following:

Communications:

- (September 21, 2006) from Alison Gorbould, Toronto Public Space Committee [Communication 15(a)(1)];
- (September 21, 2006) from Albert Kwan [Communication 15(a)(2)];
- (September 21, 2006) from Amy Stewart, DW Communications [Communication 15(a)(3)];

- (September 21, 2006) from Stewart Russell [Communication 15(a)(4)];
- (September 22, 2006) from Heather McDonald [Communication 15(a)(5)];
- (September 22, 2006) from Stacy Douglas [Communication 15(a)(6)]; and
- (September 22, 2006) from Catherine Doyle [Communication 15(a)(7)].

16 Draft Zoning By-law for 193 Geary Avenue (Ward 17 - Davenport)

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

17 Supplementary Report - Lot 35 Westmore Drive, West Side of Westmore Drive, north of Finch Avenue - Official Plan Amendment and Rezoning Application; Applicant: Eros Fiacconi, EGF Associates (Ward 1 - Etobicoke North)

City Council on September 25, 26 and 27, 2006, amended this Clause by deleting the recommendation of the Etobicoke York Community Council, and adopting instead the following:

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

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

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Etobicoke York Community Council recommend approval of Application 05-106821 WET 01 0Z by Eros Fiacconi to permit a 5-storey senior citizen apartment building with ground floor commercial usage at Lot 35 Westmore Drive;
- (2) the Toronto Official Plan be modified substantially in accordance with the draft Official Plan amendment appended to this report as Attachment No. 1, and that the necessary Bill be introduced for adoption at the City Council meeting of September 25, 26 and 27, 2006;
- (3) the Etobicoke Zoning Code be amended substantially in accordance with the draft Zoning By-law amendment appended to this report as Attachment No. 2;

- (4) before introducing the necessary Bill for the Zoning By-law Amendment to City Council for enactment, require the owner to enter into a Site Plan Agreement;
- (5) before introducing the necessary Bill for the Zoning By-law Amendment to Council for enactment, require the owner to enter into an agreement with the City to build, at the owner's expense and to municipal standards, a sidewalk on the west side of Westmore Drive, linking this property to the Sikh Spiritual Centre located at Carrier Drive; and
- (6) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments, as may be required.”

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

18 Final Report - Official Plan Amendment and Rezoning Application Applicant: Imperial Oil Inc.; 6 Aldgate Avenue (Ward 5 - Etobicoke-Lakeshore)

City Council on September 25, 26 and 27, 2006, amended this Clause by deleting Recommendation (4) of the Etobicoke York Community Council and replacing it with the following:

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

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

[See Motion J(56) on Page 258 for Council’s additional action on this matter.]

19 Final Report - Official Plan Amendment and Rezoning Application; Applicant: Zelinka Priamo Limited; 1561 and 1563 The Queensway and 76 Fordhouse Drive (Ward 5 - Etobicoke-Lakeshore)

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

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

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

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

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

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

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

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

20 Final Report - Rezoning Application Applicant: Walker, Nott Dragicevic Associates Ltd.; Architect: Turner Fleischer Architects Inc., 2129 St. Clair Avenue West (Ward 11 - York South-Weston)

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

21 Directions Report - Official Plan and Zoning By-law Amendment Application; Waddington Development Corporation 411 Kipling Avenue (Ward 6 - Etobicoke-Lakeshore)

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

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

City Council on September 25, 26, 27 and 28, 2006, amended this Clause in accordance with the following motion:

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

WHEREAS to facilitate construction staging of the development and environmental remediation of the site, and to permit the Chief Building Official or her delegate to exercise her discretion with respect to the

possible issuance of conditional building permits, it is desirable to revise the timing for the conveyance of the parkland to 'prior to the issuance of the first above grade building permit, save and except for any conditional building permit'; and

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

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

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

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

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

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

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

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

and replacing those words with the following:

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

- the owner shall convey to the City an on-site parkland dedication of 1,400 square metres, prior to the issuance of the first above grade building permit, save and except for any conditional building permits;
- the owner will ensure that all lands to be conveyed for parkland purposes shall meet Ministry of the Environment standards for that use;
- the owner and subsequent purchasers (the condominium corporation) shall be responsible for the cost of the maintenance of the public park (i.e. landscaping, lawncare, maintenance of all aspects, including park facilities);
- the owner shall contribute to the City \$125,000.00 towards Ourland Park improvements;
- the owner shall contribute to the City \$80,000.00 towards the improvement to the north side of Oxford street abutting the site, which improvements shall include landscaping, tree planting, etc.;
- the owner shall contribute to the City \$125,000.00 towards the above base park improvements for the new public park provided as part of this development prior to first building permit issuance; and

- prior to site plan approval, the owner shall submit all Environmental Site Assessment Reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04), a Detailed Noise and Vibration Study, and air quality study, to the satisfaction of City Planning;’

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

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

23 Final Report - 613 Evans Avenue; Rezoning Application; Applicant: Wajid Mansuri c/o Sun Oil Company Limited; Architect: J&B Engineering Inc. (Ward 6 – Etobicoke-Lakeshore)

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

24 Refusal Report - 1465 Lawrence Avenue West Official Plan Amendment; Applicant: Adam Brown, Sherman Brown (Ward 12 - York South-Weston)

City Council on September 25, 26, 27 and 28, 2006:

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

Council also considered the following:

- Report (September 25, 2006) from the Chief Planner and Executive Director, City Planning [Communication 30(b)].

Communications:

- (September 21, 2006) from Dan McIntyre, Program Co-ordinator, Federation of Metro Tenants’ Associations [Communication 30(a)].
 - (September 25, 2006) from Shawn de Swart, President, Brentwood Towers Tenants’ Association [Communication 30(c)].
- _____

Councillor Augimeri declared an interest in this Clause, in that her mother owns a condominium in the immediate area.

25 Designation of a part of the former Town of Weston as a Heritage Conservation District under Part V of the *Ontario Heritage Act* (Ward 11 - York South-Weston)

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

26 Poll Results - One-Way Northbound or Southbound Regulation on McRoberts Avenue between Rogers Road and St. Clair Avenue West (Ward 17 - Davenport)

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

27 Etobicoke Centre Community Services Implementation Strategy (Ward 5 - Etobicoke-Lakeshore)

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

28 Part Lot Control Exemption; Applicant: Greg Bettencourt, Dupont Victorian Homes Ltd. (Daniels) 82 Daniels Street (Ward 5 - Etobicoke-Lakeshore)

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

29 Part Lot Control Exemption; Applicant: Sase Naraine Ramsamooj - P. Salna Co. Ltd., 975 The Queensway (Ward 5 - Etobicoke-Lakeshore)

City Council on September 25, 26 and 27, 2006, adopted the staff recommendations contained in the Recommendations Section of the report (August 22, 2006) from the Director, Community Planning, Etobicoke York District [as contained in the Clause].

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

Council also considered the following:

- Report (September 25, 2006) from the Chief Planner and Executive Director, City Planning [Communication 47(a)].

30 Part Lot Control Exemption; Applicant: Antonio Azevedo; 300 New Toronto Street (Ward 6 - Etobicoke-Lakeshore)

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

31 Part Lot Control Exemption; Applicant: Toula Nessinis, Marlston Consultants, South Side of Frith Road and a portion of the lands municipally known as 45 Bartel Drive (Ward 7 - Etobicoke-Lakeshore)

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

Councillor Mammoliti declared an interest in this Clause, in that his parents own property in the immediate area.

32 Request for Approval of Variances from Sign By-law No. 3369-97 of the former City of York - 2525 St. Clair Avenue West (Ward 11 - York South-Weston)

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

33 Application for Demolition Approval; Applicant: Interarch Inc. 955 and 965 - 969 Weston Road (Ward 11 - York South-Weston)

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

34 Status Report and Planning Study; Weston Road and Black Creek Drive; Site Specific Official Plan Amendment and Rezoning Application; Applicant: Greg Daly (Ward 11 - York South-Weston)

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

35 3500 Eglinton West (former Kodak Canada Site) Application for Demolition Approval; Applicant: MHPH Project Managers (R. Coates); Owner: Zeehan Capital Inc., (Ward 12 - York South-Weston)

City Council on September 25, 26 and 27, 2006, amended this Clause by deleting Recommendation (1) contained in the report (August 22, 2006) from the Director, Community Planning, Etobicoke York District, and replacing it with the following:

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

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

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

City Council on September 25, 26 and 27, 2006, referred this Clause back to the Etobicoke York Community Council for further consideration, with a request that the Chief Planner and Executive Director, City Planning, report on the following Recommendation (2):

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

37 Application for a Outdoor Café Encroachment at 2982 Bloor Street West Big Papa Trattoria Restaurant (Ward 5 - Etobicoke-Lakeshore)

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

38 Application for an Exemption to Toronto Municipal Code Chapter 447, Fences, 69 Durie Street (Ward 13 - Parkdale-High Park)

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

39 Application for a Fence Encroachment at 69 Durie Street (Ward 13 - Parkdale-High Park)

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

40 Application for an Exemption to Toronto Municipal Code Chapter 447, Fences, 121 Colbeck Street (Ward 13 - Parkdale-High Park)

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

41 Application for Fence Encroachment - 121 Colbeck Street (Ward 13 - Parkdale-High Park)

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

42 Approval of Variance from the former City of North York Sign By-law 30788 - 208 Pellatt Avenue (Ward 11 - York South-Weston)

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

43 9 Milvan Drive - Information Report (Ward 7 - York West)

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

44 Naming of Proposed Public Streets at 115 Torbarrie Road (Ward 7 - York West)

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

45 Sale of Surplus Property, Part of 2R Superior Avenue (Ward 6 - Etobicoke -Lakeshore)

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

46 Inclusion on the City of Toronto Inventory of Heritage Properties; 4200 Eglinton Avenue West (Mary Reid House) (Ward 4 - Etobicoke Centre)

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

47 Alterations to a Building Designated under Part IV of the *Ontario Heritage Act*; 1978 Lake Shore Boulevard West (Ward 13 - Parkdale-High Park)

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

48 Intention to Designate under Part IV of the *Ontario Heritage Act*, 95 Regal Road (Regal Road Public School) (Ward 17 - Davenport)

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

49 Proposed Extension of the “No Standing Anytime” regulation on the west side of The East Mall between Burnhamthorpe Road and Four Seasons Place (Ward 3 - Etobicoke Centre)

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

50 Reduction of the Speed Limit from 50 km/h to 40 km/h on several streets in the area bounded by Eglinton Avenue West, Princess Margaret Boulevard, Martin Grove Road and Kipling Avenue (Ward 3 - Etobicoke-Centre)

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

51 Extension of the Existing 40 km/h Speed Limit on Saskatoon Drive (Ward 4 - Etobicoke Centre)

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

52 Reduction of Speed Limit from 50 km/h to 40 km/h on Acorn Avenue (Ward 5 - Etobicoke-Lakeshore)

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

53 Reduction of the Speed Limit from 50 km/h to 40 km/h on the Roads in the Community south of Bloor Street West, east and west of Islington Avenue (Ward 5 - Etobicoke-Lakeshore)

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

54 Proposed Bicycle Lanes on Birmingham Street from Dwight Avenue to Islington Avenue (Ward 6 - Etobicoke-Lakeshore)

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

55 Proposed Stop Control - Public Laneway Servicing 820-880 Brown's Line (Ward 6 - Etobicoke-Lakeshore)

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

56 Proposed Installation of All-Way Stop Control - Twelfth Street and Morrison Street (Ward 6 - Etobicoke-Lakeshore)

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

57 Reduction of the Speed Limit from 50 km/h to 40 km/h on Stanley Avenue (Ward 6 - Etobicoke-Lakeshore)

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

58 Proposed "No Parking Anytime" Prohibition on Ormont Drive (Ward 7 - York West)

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

59 Proposed "No Parking Anytime" Prohibition on Airview Road (Ward 2 - Etobicoke North)

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

60 Amendments to Parking Regulations - East side of Weston Road between Hollis Street and Locust Street and Hollis Street between Weston Road and its easterly Terminus (Ward 11 - York South-Weston)

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

61 Proposed Reduction of Speed Limit from 50 km/h to 40 km/h on Roads in the Community bounded by Rosemount Avenue, Lawrence Avenue West, Jane Street and Gary Drive (Ward 11 - York South-West)

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

62 Request to Review the Westbound Right-Turn-On-Red Prohibition on St. Clair Avenue West at Scarlett Road (Ward 11 - York South-Weston)

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

63 Weston Business Improvement Area (BIA) Proposed Installation of Clock Tower and “Gateway Sign” (Ward 11 - York South-Weston)

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

64 Proposed Reduction of the Speed Limit from 50 km/h to 40 km/h on Roads in the Community bounded by Falstaff Avenue, Jane Street, Lawrence Avenue West and Keele Street (Ward 12 - York South-West)

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

65 Proposed Installation of Traffic Control Signals at Ingram Drive/Sheffield Street and Kincort Street (Ward 12 - York South-Weston)

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

66 Installation of Speed Humps - Grovedale Avenue between Blue Springs Road and Erie Street (Ward 12 - York South-Weston)

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

67 Amendments to Parking Regulations - Blackstone Street between Lawrence Avenue West and Marshlynn Avenue and Marshlynn Avenue between Jane Street and Blackstone Street (Ward 12 - York South-Weston)

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

68 Proposed Turn Prohibitions - Gulliver Road and Comay Road (Ward 12 - York South-Weston)

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

69 Proposed Two-Way Operation on Donald Avenue between Haverson Avenue and Silverthorn Avenue (Ward 12 - York South-Weston)

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

70 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 258 Glenlake Avenue (Ward 13 - Parkdale-High Park)

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

71 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 255 Evelyn Avenue (Ward 13 - Parkdale-High Park)

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

72 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 178 Winona Drive (Ward 17 - Davenport)

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

73 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 143 Blackthorn Avenue (Ward 17 - Davenport)

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

74 Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 18 Alberta Avenue (Ward 17 - Davenport)

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

75 Amendments to Parking Regulations - Geary Avenue Between Dufferin Street and Delaware Avenue North (Ward 17 - Davenport)

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

76 Amendments to Parking Regulations - West Side of Via Italia between St. Clair Avenue West and Mackay Avenue (Ward 17 - Davenport)

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

77 Amendments to Parking Regulations to facilitate Enhanced Mechanical Street Sweeping Operations within the area bounded by Winona Drive to the east, Caledonia Road to the west, Davenport Road to the south and Rogers Road to the north (Ward 17 - Davenport)

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

78 Amendments to Parking Regulations - Rosemount Avenue between Alberta Avenue and Oakwood Avenue (Ward 17 - Davenport)

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

79 Removal of On-Street Parking Spaces for Persons with Disabilities on Blackthorne Avenue, Chudleigh Road and Nairn Avenue (Ward 17 - Davenport)

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

80 Request for an Encroachment Agreement over Storm Sewer at 10 Four Season Place (Ward 3 - Etobicoke Centre)

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

81 Speed Hump Poll Results - Wyndale Drive between Culford Drive and Keele Street (Ward 12 - York South-Weston)

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

82 Amendments to Parking Regulations - Alberta Avenue between St. Clair Avenue West and first Lane north of Davenport Road (Ward 17 - Davenport)

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

83 Request to rename the Humber Sheppard Community Centre The Carmine Stefano Community Centre (Ward 7 - York-West)

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

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

‘It is recommended that:

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

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

Council also considered the following:

- Report (September 25, 2006) from the General Manager, Parks, Forestry and Recreation [Communication 63(a)].

84 Official Plan Amendment and Rezoning Application for 1120-1132 Weston Road (Ward 11 - York South-Weston)

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

85 2 Traymore Crescent - Ontario Municipal Board (Ward 13 - Parkdale-High Park)

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

Council also considered the following:

Communication:

- (September 22, 2006) from Bradley Phillips, Blaney McMurtry LLP, Barristers and Solicitors [Communication 38(a)].

86 2446-2448 Bloor Street West - “The Fan”, “Billy Bob’s Bistro and Saloon”; Application to Remove Conditions on Roof Top Patio Liquor Licence (Ward 13 - Parkdale-High Park)

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

87 Other Items Considered by the Community Council

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

North York Community Council Report 7

1 Request for Endorsement of Events for Liquor Licensing Purposes (Ward 33 - Don Valley East)

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

2 Draft By-law -To Name the Private Street at 25 Highview Avenue and the rear of 188 to 208 Downsview Avenue as Maurice Coulter Mews (Ward 9 - York Centre)

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

3 Draft By-law - To Name the Private Lane at 134, 136 and 138 Finch Avenue West as Routliffe Lane (Ward 23 - Willowdale)

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

4 Draft By-law - To Name the Private Lane at 203, 205 and 215 Finch Avenue East as Garvin Mews (Ward 23 - Willowdale)

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

5 Draft By-law - To Permanently Close Part of the Public Highway Dufferin Street - Abutting Premises No. 2069 Dufferin Street (Ward 15 – Eglinton -Lawrence)

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

6 Encroachment Agreement - 193 The Bridle Path (Ward 25 - Don Valley West)

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

7 Encroachment Agreement - 482 Glengarry Avenue (Ward 16 – Eglinton -Lawrence)

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

8 Encroachment Agreement - 251 Lord Seaton Road (Ward 25 - Don Valley West)

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

9 Encroachment Agreement - 88 Mildenhall Road (Ward 25 - Don Valley West)

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

10 Encroachment Agreement - 36 Cedarwood Avenue (Ward 25 - Don Valley West)

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

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

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

12 Request for Fence Exemption - 10 Paris Court (Ward 34 - Don Valley East)

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

13 Request for Fence Exemption - 23 Misty Crescent (Ward 25 - Don Valley West)

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

14 Request for Fence Exemption - 257 Lytton Boulevard (Ward 16 - Eglinton -Lawrence)

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

15 Request for Fence Exemption - 44 Daleside Crescent (Ward 34 - Don Valley East)

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

16 Request for Fence Exemption - 108 Stratford Crescent (Ward 25 - Don Valley West)

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

17 Request for Fence Exemption - 10 Crofton Road (Ward 26 - Don Valley West)

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

18 Request for Fence Exemption - 52 Heathcote Avenue (Ward 25 - Don Valley West)

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

19 Request for Fence Exemption - 54 St. Leonards Avenue (Ward 25 - Don Valley West)

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

20 Request for Fence Exemption - 172 The Bridle Path (Ward 25 - Don Valley West)

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

21 Request for Fence Exemption - 8 Valley Ridge Place (Ward 25 -Don Valley West)

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

22 Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of an LCD Video Screen Menu Board Ground Sign - 5955 Leslie Street (Ward 24 - Willowdale)

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

23 Request for Approval of Variance(s) from the former City of North York Sign By-law No. 30788, as amended, for the erection of five(5) Land Development Signs upon land which is not being developed - Sales Pavilion at 603 Sheppard Avenue East (Ward 24 - Willowdale)

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

24 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended for the erection of seven(7) non-illuminated signs and two(2) illuminated ground signs at 2500 Don Mills Road (Ward 33 - Don Valley East)

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

25 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of five (5) wall signs - 946 Lawrence Avenue East (Ward 25 - Don Valley West)

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

- 26 Request for Variances from the former Borough of East York Sign By-law No. 64-87, as amended, for the installation of three illuminated facial wall signs for a Food Basics tenant of the Commercial Plaza located at 45 Overlea Blvd. (Ward 26 - Don Valley West)**

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

- 27 Request for Variances from the former Borough of East York Sign By-law No. 64-87, as amended, for the installation of two illuminated facial wall signs, and one non-illuminated letter facial wall sign - 147 Laird Drive, Building E (Ward 26 - Don Valley West)**

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

- 28 Request for Approval for a Variance from the former City of North York Sign By-law No. 30788, as amended, for the installation of ten two sided banners at 2901 Bayview Avenue (Ward 24 - Willowdale)**

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

- 29 Residential Demolition Application - 697 Oriole Parkway (Ward 16 - Eglinton Lawrence)**

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

- 30 Intention to Designate under Part IV of the *Ontario Heritage Act* - 2950 Keele Street (George Jackson House) (Ward 9 - York Centre)**

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

- 31 Removal of One Privately-Owned Tree - 268 St. Leonards Avenue (Ward 25 - Don Valley West)**

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

- 32 Removal of One Privately-Owned Tree 333 Broadway Avenue (Ward 25 - Don Valley West)**

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

Council also considered the following:

Communication:

- (September 20, 2006) from Joel D. Farber, Fogler, Rubinoff LLP, Barristers and Solicitors [Communication 14(a)].

33 Removal of One Privately-Owned Tree - 395 Douglas Avenue (Ward 16 - Eglinton Lawrence)

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

34 Request for Driveway Entrance Side Yard Variance - 58 Langholm Drive (Ward 9 - York Centre)

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

35 Request for a Variance to the Driveway Entrance Policy - 261 Glen Park Avenue (Ward 15 - Eglinton Lawrence)

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

36 Payment-In-Lieu of Parking - CLK Enterprises, Inc. - 390 Eglinton Avenue West (Ward 16 - Eglinton Lawrence)

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

37 Supplementary Reports - Rezoning Application - 05 128488 NNY 24 OZ Daniels HR Corporation - Kirkor Architects & Planners 603-605 Sheppard Avenue East & 9-17 Rean Drive & 6-10 Dervock Crescent (Ward 24 - Willowdale)

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

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

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT:

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

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

so that the paragraph reads as follows:

- '(1) instruct the City Solicitor to request the Ontario Municipal Board to mediate between the parties in this matter pursuant to the Board's Rules of Practice and Procedure, and if the Board fails to mediate, instruct the City Solicitor to attend at the Ontario Municipal Board to oppose the owner's current rezoning and site plan applications and to support a revised proposal which generally conforms with

the conceptual plans shown as Design Option A of the Further Report of the Director of Urban Design, City Planning, dated September 7, 2006, and the following principles:’;

- (2) Recommendation (1)(a) of North York Community Council Report 7, Clause 37 be deleted and replaced with the following:

‘(1)(a) maximize and regularize the open space along the eastern boundary of the site with the proviso that if Building “C” maintains a 45 degree angular plane along the eastern boundary, then Building “C” may be a maximum of 6 storeys rather than 4 storeys and the Gross Floor Area of Building “D” shall be reduced by the corresponding increase in the gross Floor Area of Building “C”’;

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

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

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

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

Council also considered the following:

- Report (September 25, 2006) from the City Solicitor [Communication 9(b)].
- _____

Communication:

- (September 13, 2006) from the President, Bayview Manor Ratepayers Association [Communication 9(a)].

38 Proposed Bicycle Lanes on Roselawn Avenue, from Marlee Avenue to Salinas Court (Ward 15 - Eglinton Lawrence)

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

39 Appeal for an Exemption from Chapter 400 of the former City of Toronto Municipal Code for Front Yard Parking Pad - 1055 Mount Pleasant Road (Ward 25 - Don Valley West)

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

40 Stopping Prohibitions - Wilson Heights Boulevard (Ward 10 - York Centre)

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

41 Traffic Regulations Associated with the Dedication/Assumption: The Pond Road, Sentinel Road to Shoreham Drive; Shoreham Drive, The Pond Road to Murray Ross Parkway (Ward 8 - York West)

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

42 40 km/h Speed Zone - Felbrigg Avenue (Ward 16 – Eglinton-Lawrence)

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

43 Parking Prohibitions - Cummer Avenue (Ward 24 - Willowdale)

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

44 Traffic Control Signals - Sheppard Avenue East and Greenbriar Road (Ward 24 - Willowdale)

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

45 Turn Restrictions - Lord Seaton Road and Yonge Street (Ward 25 - Don Valley West)

City Council on September 25, 26 and 27, 2006, amended this Clause by inserting in Recommendation (1) contained in the report (August 3, 2006) from the Director, Transportation Services, North York District, the words “at Yonge Street and Lord Seaton Road”, after the word “display”, so that Recommendation (1), now reads as follows:

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

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

46 Parking Prohibitions - Model Avenue (Ward 10 - York Centre)

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

47 Parking Prohibitions - Dallimore Circle - David Dunlap Circle - Humphrey Gate and Jessie Drive (Ward 34 - Don Valley East)

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

48 Pedestrian Crossing Restrictions - Steeles Avenue West at Norfinch Drive (Ward 8 - York West)

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

49 Traffic Control Signals – Leslie Street and Coldwater Road/Farmstead Road (Ward 25 - Don Valley West)

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

50 Parking Regulations - Eglinton Valley Subdivision (Ward 26 - Don Valley West)

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

51 40 km/h Speed Zone - Wigan Crescent (Ward 10 - York Centre)

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

52 Removal of Turn Restriction - Wilson Heights Boulevard and Wilson Heights Boulevard Diversion Road (Ward 10 - York Centre)

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

53 40 km/h Speed Limit - York Downs Drive - Armour Boulevard to Raeburn Avenue (Ward 10 - York Centre)

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

54 Westbound Right Turn Lane Designation - Sentinel Road at Sheppard Avenue West (Ward 9 - York Centre)

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

55 Installation of Neighbourhood Identification Signage - Don Mills Community (Ward 26 - Don Valley West) (Ward 25 - Don Valley West) (Ward 34 - Don Valley East)

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

56 Parking Prohibitions - Arrowstook Road (Ward 24 - Willowdale)

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

57 Parking Prohibitions - Haddington Avenue (Ward 16 – Eglinton Lawrence)

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

58 40 km/h Speed Limit – Laurentia Crescent and Touraine Avenue (Ward 10 - York Centre)

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

59 Parking Prohibitions - Goddard Street (Ward 10 - York Centre)

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

60 Extension of Overnight On-Street Permit Parking Hours on Unsworth Avenue, between Lawrence Avenue West and the north end of Unsworth Avenue (Ward 16 - Eglinton Lawrence)

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

61 Poll Results - Request for the Introduction of Overnight On-Street Permit Parking on Belvidere Avenue, between Oakwood Avenue and Glenora Avenue (Ward 15 - Eglinton Lawrence)

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

62 Proposed Naming of a New Junior Soccer Field in Honour of Mr. Remberto Navia (Ward 8 - York West)

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

63 Assumption of Services - Subdivision owned by 1255028 Ontario Inc. - Plan 66M-2390 – Subdivision File - UDSB-1246 - Jinnah Court (Ward 34 - Don Valley East)

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

64 Assumption of Services - Subdivision owned by Heritage-Willow Estates Ltd. - Plan 66M-2351 – Subdivision File - UDSB-1241 - Doverwood Court (Ward 24 - Willowdale)

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

65 Assumption of Services - Subdivision owned by Wittington Properties Ltd. - Plan 66M-2354 – Subdivision File - UDSB-1223 - Yonge Street and Avondale Avenue (Ward 23 - Willowdale)

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

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

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

67 Sale of Surplus Parcel of Vacant Land - 2 Kenton Drive (Ward 23 - Willowdale)

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

68 Sale of Surplus Property - 514 Hounslow Avenue (Ward 23 - Willowdale)

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

69 Sale of Surplus Property - Public Lane located east of Yonge Street, extending South from Byng Avenue (Ward 23 - Willowdale)

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

70 Request for Direction Report - Site Plan Control Application 06 122446 NNY 24 SA 24 & 26 Rean Drive - Daniels HR Corporation (Ward 24 - Willowdale)

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

71 Request for Directions Report - Site Plan Control Application - 06 119651 NNY 25 SA Junior Academy - Meg Graham, Superkul Inc., Architect 2454 Bayview Avenue (Ward 25 - Don Valley West)

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

72 Request to Amend Subdivision Agreement - 21 Legacy Court, Lot 1, RP 66M-2331 - UD 10 AME (UDOZ-94-33 and UDSB-1221) (Ward 25 - Don Valley West)

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

73 Final Report - Application to Amend the Official Plan and Zoning By-law - 05 199221 NNY 10 OZ - 4588 Bathurst and United Jewish Welfare Fund of Toronto (Page + Steele Architects) - 4588 and 4600 Bathurst Street (Ward 10 - York Centre)

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

74 Final Report - Rezoning Application - 04 200604 NNY 10 OZ - Sasha Milenov - Milenov Associates Architects and Planners - 4442-4450 Bathurst Street (Ward 10 - York Centre)

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

75 Further Directions Report – Application to Amend the Official Plan and Zoning By-law – 04 177123 NNY 09 OZ - and Consent Application – B50/05NY - 2415 Jane Street (Ward 09 - York Centre)

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

76 Refusal Report - Official Plan & Zoning By-law Amendment Application - 04 150643 NNY 16 OZ - 3018-3020 Yonge Street (Ward 16 - Eglinton Lawrence)

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

Council also considered the following:

Communications:

- (September 13, 2006) from Kevin Mol [Communication 10(a)(1)];
- (September 13, 2006) from Brian Darnos, President, Bayview Place Tenants Association [Communication 10(a)(2)];
- (September 13, 2006) from Peter and Alfred Bernhart [Communication 10(a)(3)]; and
- (September 13, 2006) from Victoria and Patrick O'Neill [Communication 10(a)(4)].

77 Request for Direction Report – Official Plan and Rezoning Application - 06 104568 NNY 25 OZ - Site Plan Application - 06 112849 NNY 25 SA - 2130 Bayview Avenue (Ward 25 - Don Valley West)

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

78 Request for Direction Report - Application to Amend the Official Plan and Zoning By-law - 04 190410 NNY 16 OZ - Site Plan Control Application - 05 200330 NNY 16 SA - 1705, 1717, 1719, 1743 and 1745 Avenue Road (Ward 16 – Eglinton-Lawrence)

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

“That the Ontario Municipal Board be advised that:

- (1) City Council believes the application to be premature in the absence of the completion of the Avenue Road Study; and
- (2) City Council would prefer a lower building than the Section 37 community benefits outlined in the report (August 24, 2006) from the Director, Community Planning, North York District, namely:
 - (d) prior to the implementing Zoning By-law coming into full force and effect, the owner be required to:
 - (i) enter into an Agreement under Section 37 of the *Planning Act* for depositing a letter of credit or certified cheque in the amount of \$400,000.00 to the satisfaction of the Chief Financial Officer and Treasurer, as follows:
 - \$250,000.00 for site remediation and improvements to convert the Toronto Transit Commission bus-loop at 1400 Avenue Road into a park; and
 - \$150,000.00 for renovations to the Armour Heights Community Centre including but not limited to: mechanical, windows, millwork, finishes, fire alarms, security systems and fixtures.’ ”

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

Council also considered the following:

Communications:

- (September 19, 2006) from Lisa MacIsaac, National Account Manager, House and Home Media [Communication 11(a)]; and
- (September 25, 2006) from Mark Noskiewicz, Goodmans LLP, Barristers and Solicitors [Communication 11(b)].

79 Two-Way Centre Left Turn Lane – Chesswood Drive Champagne Drive to Finch Avenue West (Ward 8 - York West)

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

80 40 km/h Speed Limit - Elvaston Drive (Ward 34 - Don Valley East)

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

81 Parking Prohibitions - Harlandale Avenue (Ward 23 - Willowdale)

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

82 Parking Prohibitions - Clairtrell Road (Ward 23 - Willowdale)

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

83 Request for Removal of Microwave Transmission Tower at the Hydro One Leslie Transformer Station on the Hydro right-of-way and behind 48-66 Willesden Road (Ward 24 - Willowdale)

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

84 Ontario Municipal Board Hearing - Committee of Adjustment Application - 11 Ruddington Drive (Ward 24 - Willowdale)

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

85 Ontario Municipal Board Hearing - Committee of Adjustment Application - 185 Graydon Hall Drive (Ward 34 - Don Valley East)

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

86 Report Request - Conveyance of Kenaston Gardens Park – Upgrades and Public Art Component Completion (Ward 24 - Willowdale)

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

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

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

Council also considered the following:

- Report (September 22, 2006) from the General Manager, Parks, Forestry and Recreation [Communication 36(a)].

87 All Way Stop Control - Intersection of Cameron Crescent and Donegall Road (Ward 26 - Don Valley West)

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

88 Removal of Advertising Signs - 135 Fenelon Drive (Ward 34 – Don Valley East)

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

89 Ontario Municipal Board Hearing - Site Plan Application - 2901 Bayview Avenue (Ward 24 - Willowdale)

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

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

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

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

Council also considered the following:

- Report (September 26, 2006) from the City Solicitor [Communication 65(a)].

90 Other Items Considered by the Community Council

City Council on September 25, 26 and 27, 2006, waived the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to consider Item (i), entitled “Request for Direction Report – Official Plan Amendment and Rezoning Application - 05 105152 NNY 23 OZ - Subdivision Application - 05 105158 NNY 23 SB – Allan Leibel, Goodmans - Kirkor Architects & Planners - 1-12 Oakburn Crescent and 14-40 Oakburn Place, and 12 Anndale Drive, 68 Avondale Avenue (Ward 23 - Willowdale)”.

Council subsequently adopted the following:

“That:

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

‘It is recommended that:

- (1) City Council not support the proposed phased development of 1,195 residential units in its current form.
- (2) City Council support the recommended modifications to the proposed Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision Application, and Master Concept Plan, for a phased development consisting of a total maximum of 1,195 new residential units (859 units plus 55 existing rental units to remain in Phase 1; and an additional 336 units for a total of 1,195 new residential units at the end of Phase 2), subject to the Recommendations and conditions and as generally outlined in this Report.

- (3) City Council authorize the City Solicitor and any appropriate City staff as may be required to attend at the Ontario Municipal Board hearing in support of the position outlined in this Report and Recommendations, and to bring forward to the Ontario Municipal Board the final form of proposed Official Plan and Zoning Amendments, Draft Plan of Subdivision, and Master Concept Plan consistent with the principles outlined in this Report and Recommendations, and consistent with Council policies and guidelines as they may determine appropriate, including but not limited to the North York Centre Secondary Plan and the Infill Townhouse Guidelines.
- (4) Subject to taking the necessary procedural steps, City Council support in principle relocating the road through the subject property and declaring Parts A, B, C, E, F and H of the proposed Draft Plan of Subdivision (Attachment 5) surplus and inviting an offer to purchase them from the Owner, on the condition that the Owner convey to the City as part of the development Blocks 4 and 8 and Parts I and J on said attachment, to be secured in appropriate legal agreements in relation to the Phase 1 development.
- (5) City Council support in principle a draft plan of subdivision, substantially in the form of Attachment 5, which includes 6 townhouse blocks, 5 blocks for residential towers, a central park block, a westerly park block, and a relocated Oakburn Place road configuration which also provides for a future connection to Harrison Garden Boulevard, subject to the following, to the City's satisfaction:
 - (a) a Master Concept Plan, including urban design guidelines, subject to conditions as generally outlined in this Report and Recommendations, to be registered on title as part of the subdivision agreement;
 - (b) the City's standard subdivision agreement requirements;
 - (c) the draft plan of subdivision requirements as outlined in the Technical Services comments of September 7, 2006 (Attachment 10b);

- (d) the draft plan of subdivision requirements as outlined in the Parks, Forestry and Recreation comments of August 24, 2006 (Attachment 10c), subject to the public park conveyances being provided as part of the Phase 1 development;
 - (e) the requirements of the Ministry of Transportation as outlined in their comments dated February 17, 2005 (Attachment 10f);
- (6) that City Council support in principle an amendment to the site-specific policy 12.17 of the North York Centre Secondary Plan, Oakburn Crescent and Oakburn Place Lands, for the following purposes:
- (a) to delete the permission for a maximum of 2,787 m² of office and residential uses accessory or ancillary to the permitted residential uses; and
 - (b) to permit a maximum total of 1,195 residential units on the site, in a phased development consisting of 859 units plus 55 existing rental units to remain in Phase 1 only, and an additional 336 units for a total of 1,195 new residential units at the end of Phase 2.
- (7) City Council not support any proposed amendments to the Official Plan or Zoning By-law that would result in a density in excess of 83,652 m² (2.0 FSI base density on the site) or 110,827 m² (2.66 FSI on the site with combined density incentives and transfers provided in accordance with North York Centre Secondary Plan provisions, including an adjustment related to parkland dedication density), in relation to a proposed total site area of 41,826.1 m².
- (8) City Council not support any proposed amendment to the Official Plan or Zoning By-law that would exempt any building within the development from the maximum height permission of the North York Centre Secondary Plan, including the site-specific angular plane policy that building heights are limited to one half the horizontal distance separating any building or portion thereof from the nearest Relevant Residential Property Line shown on Map D.1.6 of the Secondary Plan.

- (9) City Council support in principle a site-specific amendment to Zoning By-law 7625, to include, among other matters, the following provisions to be specified in the implementing zoning by-law to the satisfaction of the City Solicitor and the Director, Community Planning, North York District:
- (a) that the Ontario Municipal Board be requested to withhold its Order for the proposed official plan and zoning by-law amendments until such time as the Owner has provided, at its sole expense, the following matters required in respect of the Phase 1 development (up to a maximum of 859 new units, plus 55 existing rental units), to the satisfaction of the Executive Director of Technical Services and the City Solicitor, and to be secured in a section 37 agreement:
- (i) lands for the widening of Avondale Avenue to five lanes between Bales Avenue and Yonge Street;
 - (ii) an exclusive westbound right turn lane at the intersection of Yonge Street and Avondale Avenue;
 - (iii) lands to implement the approved Service Road network in relation to the property at the northwest corner of Avondale Avenue and Tradewind Avenue (known municipally as 68 Avondale Avenue);
 - (iv) funding for signalization of the new four-leg intersection between Tradewind Avenue and Avondale Avenue;
 - (v) a road connection between the site and Harrison Garden Boulevard to the immediate west of the site;
 - (vi) Travel Demand Management initiatives for the Oakburn project including the provision of Metropasses and a shuttlebus service;

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

55 existing rental units to remain throughout construction of the Phase 1 development; and

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

-
- (a) lands municipally known as 68 Avondale Avenue, with an area of approximately 451.5 m², and a density of 3.5 FSI, for a maximum additional gross floor area of approximately 1580 m², with the density of the 68 Avondale lands to be reduced to zero gross floor area to recognize the density transfer, and with these lands to be provided to the City prior to the implementing zoning by-law for the Oakburn project coming into effect;
 - (b) lands municipally known as 12 Anndale Drive, with an area of approximately 395.7 m², and a density of 3.5 FSI, for a maximum additional gross floor area of approximately 1385 m², with the density of the 12 Anndale Drive lands to be reduced to zero gross floor area to recognize the density transfer, and with these lands to be provided to the City prior to the implementing zoning by-law for the Oakburn project coming into effect;
 - (c) the portion of lands municipally known municipally as 4679 Yonge Street at the northeast corner of Yonge Street and Avondale Avenue, that is required for the Service Road as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), with an area of approximately 223 m², for a maximum additional gross floor area of approximately 1003 m², with the density of said lands to be reduced to zero gross floor area to recognize the density transfer, prior to the implementing zoning by-law for the Oakburn project coming into effect;

-
- (d) should the Owner (Oakburn) have used reasonable efforts to acquire the required lands from 4679 Yonge Street and have not been successful, City staff are authorized to initiate the expropriation process including serving and publishing Notices of Application for Approval to Expropriate, forwarding to the Chief Inquiry Officer any requests for hearing received, attending the hearing to present the City's position and reporting the Inquiry Officer's recommendations to Council for its consideration, with all costs incurred and compensation payable as a result of the expropriation to be at the Owner's (Oakburn's) total expense.
- (e) a minimum of 1.5 m² per unit of private indoor recreational area to be provided on the site, being approximately 1,059 units and 1,589 m² of private indoor recreational area, for a maximum additional gross floor area of approximately 1,589 m²;
- (f) a monetary contribution to fund any additional requested density up to the maximum 2.66 FSI permitted by the North York Centre Secondary Plan (subject to an adjustment related to parkland dedication density), in accordance with the provisions of Section 3.3, Density Incentives, of the Secondary Plan, with such moneys to be directed to the City's acquisition of required Service Road properties south of Sheppard Avenue and east of Yonge Street, or alternatively, the Owner may acquire and convey to the City additional property or properties required for the Service Road south of Sheppard Avenue and east of Yonge Street, as

identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), or a combination of the monetary contribution and such Service Road properties, for a total additional gross floor area of up to 21,618 m², with any monetary contribution to be based on the market value of density in the North York Centre as determined by the Director of Real Estate Services. Prior to the implementing zoning by-law for the Oakburn project coming into effect, the Owner shall provide a monetary contribution in the form of a certified cheque, to fund 4,281 m² of gross floor area associated with the Phase 1 development (existing plus proposed buildings), and the City shall secure in an appropriate legal agreement the requirement for the applicant to fund the balance of the approximate 21,618 m² density (approximately 17,337 m²) at the time the Holding provision is lifted in relation to the Phase 2 development; and

- (g) reallocations may be made among (e) and (f) above on the basis of confirmation of proposed private indoor recreational amenity space prior to the final implementing zoning by-law going forward to the Ontario Municipal Board for enactment;
- (v) maximum gross floor areas to be assigned to each proposed development block generally as outlined in the Master Concept Plan development concept;
- (vi) “Gross Floor Area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the

building or structure at the level of each floor, including any areas used as balconies, but excluding:

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

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

- (x) parking shall be provided at a ratio of 1.0 space per residential unit (minimum) to 1.4 spaces per residential unit (maximum), on a per block basis, with the exception of the proposed rental building which may have a parking standard of 0.8 spaces per residential unit, both ratios of which contain a visitor parking allowance of 0.1 space per residential unit;
 - (xi) parking shall comply with the requirements of Zoning By-law 7625 in all other aspects;
 - (xii) bicycle parking to be provided at a rate of 0.5 spaces per residential unit for all units other than those in the independent townhouse blocks;
 - (xiii) loading space requirements, including supply, dimensions and accessibility, to comply with Zoning By-law 7625;
 - (xiv) a minimum of 25% of the total number of condominium residential units constructed are to be provided with the maximum floor area restrictions:
 - (a) 70 m² for a bachelor unit or a one-bedroom unit;
 - (b) 80 m² for a two-bedroom unit;
 - (c) 120 m² for a three-bedroom unit;
 - (d) any combination of the above.
- (10) City Council require that in addition to the recommended transportation improvements and density transfer and density incentive matters to be secured in a section 37 agreement as noted above, the owner be required to enter into a section 37 agreement to the satisfaction of the City Solicitor, to provide the following facilities, services and/or matters:
- (a) subject to Recommendation (4) above, the conveyance to the City of proposed parkland blocks 4 and 8, and public road Parts I and J as shown on Attachment 5, within 6 months of completion of proposed building E (rental replacement building);

- (b) the provision and maintenance of at least 286 replacement rental dwelling units, with rental tenure to be secured for the proposed rental building for 20 years, along with the maintenance of rent levels and a tenant assistance package in conformity with the proposed rental housing principles attached as Attachment 10a;
 - (c) a public art programme valued at 1% of gross construction costs, for a public art installation to be located on-site and/or on public lands adjacent to the site. The owner shall submit to the City a public art plan for the site and obtain approval by the Chief Planner or designate in consultation with the Toronto Public Art Commission prior to the issuance of the first building permit for the Phase 1 project, or shall in lieu thereof, deposit two-thirds of the public art obligation in respect of that building permit with the City, and deposit the remaining one-third of the public art obligation prior to the issuance of the first building permit for the Phase 2 project;
 - (d) a Construction Management Plan, to the satisfaction of the Executive Director, Technical Services, to be provided for each of the two proposed development phases, prior to the issuance of any demolition permit for the site in respect each of the respective two phases; and
 - (e) any required remediation, improvements, and final design and programming of the proposed park blocks 4 and 8, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- (11) City Council endorse in principle a Master Concept Plan for development of the Oakburn lands, generally in the form found in Attachment 9, subject to any required revisions as a result of the above Recommendations and as outlined in this Report.
- (12) City Council direct the City Solicitor to request that the Ontario Municipal Board order that the proposed Official Plan Amendment and Zoning By-law Amendment not take effect until the Board has been advised that the City and the

Owner of the subject lands have entered into a subdivision agreement and a section 37 agreement.

- (13) City Council authorize the appropriate City staff to initiate the expropriation process, if necessary, for the lands required for the Anndale Drive extension between Yonge Street and Bonnington Place, as identified in the Downtown Plan South of Sheppard Avenue Environmental Study Report (ESR), should the City not have acquired such lands within two years of the site-specific zoning by-law amendment for the Oakburn development coming into effect. The City's intent in this regard may be secured as part of the section 37 agreement for the Oakburn development.
 - (14) City Council require the Owner to have provided a written undertaking, in a form satisfactory to the City Solicitor, that upon the site-specific Official Plan and Zoning By-law coming into effect, any outstanding appeal that the Owner may have in relation to the new Official Plan respecting this site, be withdrawn.'; and
- (2) the General Manager, Transportation Services, be requested to meet with residents to address concerns regarding the easterly connection of Oakburn Crescent and Avondale Avenue to arrive at a resolution that traffic from the new development does not exit into the stable residential area."

The balance of the Clause was received for information.

Scarborough Community Council Report 7

1 Naming of Proposed Private Lanes South Side of Treewood Street between Midland Avenue and Brockley Drive as "Archibald Mews" and "Tiller Lane" (Ward 37 - Scarborough Centre)

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

2 Naming of Private Lane at 4314 Kingston Road (Ward 43 - Scarborough East)

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

3 Request for Fence Exemption - 120 Fallingbrook Road (Ward 36 - Scarborough Southwest)

City Council on September 25, 26 and 27, 2006, amended this Clause by deleting the recommendation of the Scarborough Community Council, and adopting instead the following:

“That

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

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

4 Request for Fence Exemption - 58 Shandon Drive (Ward 40 - Scarborough Agincourt)

City Council on September 25, 26, 27 and 28, 2006, amended this Clause by deleting the recommendation of the Scarborough Community Council, and adopting instead the following:

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

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

5 Request for Fence Exemption - 108 Sylvan Avenue (Ward 43 - Scarborough East)

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

6 Natural Garden Exemption Request Toronto Municipal Code, Chapter 489 26 Shawford Crescent (Ward 38 - Scarborough Centre)

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

7 Request for Approval of Variances from the Former City of Scarborough Sign By-law 22980, as amended, for the Erection of a Roof Mounted Non-accessory Sign at 3100 St. Clair Avenue East (Ward 35 - Scarborough Southwest)

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

Council also considered the following:

Communications:

- (September 21, 2006) from Alison Gorbould, Toronto Public Space Committee [Communication 15(a)(1)];
- (September 21, 2006) from Albert Kwan [Communication 15(a)(2)];
- (September 21, 2006) from Amy Stewart, DW Communications [Communication 15(a)(3)];
- (September 21, 2006) from Stewart Russell [Communication 15(a)(4)];
- (September 22, 2006) from Heather McDonald [Communication 15(a)(5)];
- (September 22, 2006) from Stacy Douglas [Communication 15(a)(6)]; and
- (September 22, 2006) from Catherine Doyle [Communication 15(a)(7)].

Councillor Del Grande declared an interest in this Clause, in that he received a small campaign contribution from the Company in question.

8 Request for Approval of Variances from the Former City of Scarborough Sign By-law 22980, as amended for Four Facial Wall Signs at 5085 - 5121 Sheppard Avenue East (Ward 42 - Scarborough-Rouge River)

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

9 Request for Approval of a Variance from the Former City of Scarborough Sign By-law 22980, as amended for the Erection of a Ground Non-accessory Sign at the East Side of Markham Road at the Railway Crossing North of Finch Avenue East (Ward 42 - Scarborough-Rouge River)

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

10 Proposed Addition of Improved Safety Warning Devices at the Railway Crossings on the Uxbridge Subdivision on Finch Avenue - Mile 54.41, Sheppard Avenue - Mile 55.73, and Danforth Road - Mile 60.18 and Cost Sharing Agreements (Wards 35, 39, 40 and 41)

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

11 Proposed Parking Regulation Changes on Bertrand Avenue from the East Limit of Midholm Drive to Ionview Road (Ward 37 - Scarborough Centre)

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

12 Request for All-Way Stop Controls on Shropshire Drive at Canlish Road and at Gilroy Drive (Ward 37 - Scarborough Centre)

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

13 Feasibility of Extending Median on McCowan Road South of Lawrence Avenue East (Ward 38 - Scarborough Centre)

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

14 Request for All-Way Stop Control on Commons Drive at Bugle Hill Road (Ward 40 - Scarborough-Agincourt)

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

15 Intention to Designate under Part IV of the *Ontario Heritage Act* - 5933 Steeles Avenue East (Underwood House) (Ward 41 - Scarborough -Rouge River)

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

16 Consent, with Conditions Demolition of a Building on a Designated Property 6601 Steeles Avenue East (Clark-Reesor House) (Ward 42 - Scarborough -Rouge River)

City Council on September 25, 26, 27 and 28, 2006, adopted the staff recommendations contained in the Recommendations Section of the report (August 29, 2006) from the Director, Policy and Research, City Planning [as contained in the Clause], as recommended by the Toronto Preservation Board, subject to amending Recommendation (1) by deleting the words “Toronto Heritage Grant Program” and replacing them with the words “restoration of the Morrish Store”, so that Recommendation (1) now reads as follows:

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

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

Council also considered the following:

- Report (September 25, 2006) from the Chief Planner and Executive Director, City Planning [Communication 46(a)].

17 Sale of Surplus Parcel of Vacant Land between 1274 and 1280 Warden Avenue (Ward 37 - Scarborough Centre)

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

18 Sale of Vacant Land, East Side of Meadowvale Road North of Sheppard Avenue East (Ward 42 - Scarborough-Rouge River)

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

19 Assumption of Services - Bridgenorth Equities (Scarborough) Inc., 1025 Kennedy Road (Ward 37 - Scarborough Centre)

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

Deputy Mayor Feldman declared an interest in this Clause, in that his son-in-law is the developer.

20 Assumption of Services - 915343 Ontario Inc. (prev. Norstar Development Corporation) Subdivision Application 55T-98601 West Side of Warden Avenue, South of 401 (Ward 40 - Scarborough Agincourt)

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

21 Assumption of Services - 674490 Ontario Limited Subdivision Application 55T-79024(R) West Side of Markham Road, South of Passmore Avenue (Ward 41 - Scarborough-Rouge River)

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

22 Pine Ridge Drive – Sanitary Sewers Local Improvement Special Charges (Ward 36 - Scarborough Southwest)

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

23 Request for Direction OPA and Rezoning Application 04 126266 ESC 35 OZ Herron Gardens Inc., Architect: Rafael & Bigauskas 25 Herron Avenue (Ward 35 - Scarborough Southwest)

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

24 Request for Direction Official Plan Amendment Application 03 184828 ESC 41 OZ Zoning By-law Amendment Application 03 035184 ESC 41 OZ Markham Steeles Realty Inc. (Baif Development Limited) Architect: Petroff Partnership Architects 3290, 3310 and 3330 Markham Road

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

25 Request for Direction Official Plan and Zoning By-law Amendment Applications Plan of Subdivision Application and Site Plan Control Applications, 2811 Development Corporation (The Landmark (Canada) Inc.), Architect: Petroff Partnership Architects 5789 to 5883 Steeles Avenue East

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

- 26 Final Report Site Plan Approval Application 05 127681 ESC 36 SA Applicant: K.C. Au, K.C. Au Architect Inc., 2 and 4 Dale Avenue (Ward 36 - Scarborough Southwest)**

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

- 27 Final Report Part Lot Control Exemption Application 06 143476 ESC 43 PL Lawrence-Birch Properties Inc. 4177 Lawrence Avenue East (Ward 43 - Scarborough East)**

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

- 28 Final Report Rezoning Application 04 115627 ESC 35 OZ UJGR Investments Limited 554 and 556 Danforth Road and 64 North Woodrow Boulevard, Birchmount Park Community (Ward 35 - Scarborough Southwest)**

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

- 29 Final Report Rezoning Application 06 136585 ESC 35 OZ TD Canada Trust (Kohn Architects Inc.) 673 Warden Avenue, Oakridge Employment District (Ward 35 - Scarborough Southwest)**

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

- 30 Final Report Rezoning Application 05 110300 ESC 36 OZ 723999 Ontario Limited 3354 Kingston Road, Scarborough Village Community (Ward 36 - Scarborough Southwest)**

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

- 31 Final Report Rezoning Application 06 118713 ESC 42 OZ Standard Life Assurance Company of Canada 1275 Morningside Avenue, Rouge Employment District (Ward 42 - Scarborough Rouge River)**

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

32 Final Report OPA & Rezoning Application 05 177301 ESC 42 OZ 2075784 Ontario Inc. (Szeto Architect) 2 Torham Place, Tapscott Employment District (Ward 42 - Scarborough Rouge River)

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

33 Final Report Rezoning Application 05 104584 ESC 44 OZ Plan of Subdivision 05 104571 ESC 44 SB Lorelei Jones & Associates Land Behind 84, 86 92 and 94 Scarboro Avenue and S/W Rear Corner of 92 Scarboro Avenue, Highland Creek Community (Ward 44 - Scarborough East)

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

34 Mattamy (Rouge) Limited Subdivision - Phase Three 8800 Sheppard Avenue East - Registered Plan 66M-2419 (Ward 42 - Scarborough-Rouge River)

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

35 Other Items Considered by the Community Council

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

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

Toronto and East York Community Council Report 7

1 Request for Endorsement of Event for Liquor Licensing Purposes (Wards 18, 19, 20 and 28)

City Council on September 25, 26 and 27, 2006, amended this Clause by adding the following Part (c) to Recommendation (2) of the Toronto and East York Community Council:

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

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

Council also considered the following:

Communication:

- (September 22, 2006) from Josh Bloch, Festival Director, ARCFest [Communication 54(a)].

2 Renaming the East-West Portion of the Public Highway Hanna Avenue, extending easterly from Atlantic Avenue, to “Snooker Street” (Ward 19 - Trinity-Spadina)

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

3 Naming the Public Lane north of College Street, between Shaw Street and Roxton Road as “Achtman Lane” (Ward 19 - Trinity-Spadina)

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

4 Naming of the Private Street located between 480 and 500 Queens Quay West, as “Yo-Yo Ma Lane” (Ward 20 - Trinity-Spadina)

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

5 Permanently Close a portion of the Public Highway known as Hilltop Road, abutting 27 Ridge Hill Drive (Ward 21 - St. Paul’s)

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

6 Naming of the Private Lane located 124 metres north of Carlton Street, extending between Jarvis Street and Mutual Street, as “Sirman Lane” (Ward 27 - Toronto Centre-Rosedale)

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

7 Permanently Close the above-grade portion of the Public Lane known as Victoria Street Lane, between 26 and 38 Shuter Street (Ward 27 - Toronto Centre-Rosedale)

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

8 Closing of Four Untravelled Public Lanes located within the West Don Lands Precinct (Ward 28 - Toronto Centre-Rosedale)

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

9 Naming of the Proposed Private Lane at 301 Cedarvale Avenue as “Carruthers Lane” (Ward 31 - Beaches-East York)

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

10 Final Report - Rezoning Application - 1359 Dupont Street (Ward 18 - Davenport)

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

11 Final Report - Official Plan Amendment and Rezoning Application - 204 Bloor Street West (Ward 20 - Trinity-Spadina)

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

Deputy Mayor Pantalone declared an interest in this Clause, in that he has a property interest in the vicinity.

12 Final Report - Rezoning Application - 524 Dupont Street and 903 Palmerston Avenue (Ward 20 - Trinity-Spadina)

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

Council also considered the following:

Communication:

- (September 13, 2006) from Marianne Lau [Communication 23(a)].

13 Final Report - Official Plan and Zoning By-law Amendment Application - 155 Dan Leckie Way and 170 Fort York Boulevard (Ward 20 - Trinity-Spadina)

City Council on September 25, 26 and 27, 2006, amended this Clause in accordance with the following staff recommendations contained in the supplementary report (September 21, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that Council:

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

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

Council also considered the following:

- Report (September 21, 2006) from the Chief Planner and Executive Director, City Planning [Communication 51(a)].

14 Final Report - Application for Draft Plan of Condominium and to Amend the Official Plan – 317 and 319 Lonsdale Road (Ward 22 - St. Paul's)

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

Council also considered the following:

Communication:

- (September 22, 2006) from Robert G. Doumani, Aird and Berlis, Barristers and Solicitors [Communication 37(a)].

15 Final Report - Rezoning Application - 13 Balmuto Street (Ward 27 - Toronto Centre-Rosedale)

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

16 Final Report - Rezoning Application - 555 Sherbourne Street (Ward 28 - Toronto Centre-Rosedale)

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

Council also considered the following:

- Report (September 22, 2006) from the Chief Planner and Executive Director, City Planning [Communication 50(a)].

17 Final Report - Proposal to Amend By-law 438-86 and Modify the Central Waterfront Secondary Plan for the Lands between Lower Jarvis Street and Small Street to the south of Lake Shore Boulevard East (Ward 28 - Toronto Centre-Rosedale)

City Council on September 25, 26 and 27, 2006, amended this Clause by deleting the recommendation of the Toronto and East York Community Council, and replacing it with the following staff recommendations contained in the Recommendations Section of the report (September 27, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

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

- (8) recommend to the Toronto Waterfront Revitalization Corporation, the establishment of a Waterfront Affordable Housing Task Force, focused on strategies to realize the Waterfront's affordable housing objectives with membership comprised of representatives from the federal and provincial government partners, the relevant City departments including the City's Affordable Housing Office, Toronto Community Housing Corporation, non-profit sector and local community;
- (9) direct the Chief Planner and Waterfront Project Director, in conjunction with the Toronto Waterfront Revitalization Corporation, to bring forward a report to Council addressing public sector strategies to encourage private development in East Bayfront to exceed the LEEDS Silver Certification requirement in the by-law; and
- (10) recommend that no further notice be given in respect to the amendments to Zoning By-law 438-86 for the former City of Toronto recommended herein."

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

Council also considered the following:

- Report (September 27, 2006) from the Chief Planner and Executive Director, City Planning [Communication 24(b)].

Communications:

- (September 8, 2006) from Dennis Bartels [Communication 24(a)]; and
- (September 26, 2006) from Patrick J. Devine, Goodman and Carr LLP, Barristers and Solicitors [Communication 24(c)].

18 Final Report - Official Plan Amendment – Eastern Avenue to Lake Shore Boulevard East, Don Valley Parkway to east of Woodfield Road (Ward 30 - Toronto-Danforth and Ward 32 - Beaches-East York)

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

19 Designation of Queen Street West, between University Avenue and Bathurst Street, as a Heritage Conservation District under Part V of the *Ontario Heritage Act* (Ward 20 - Trinity-Spadina)

City Council on September 25, 26 and 27, 2006, referred this Clause to the next meeting of the Toronto Preservation Board, for subsequent submission to the Toronto and East York Community Council, and:

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

Council also considered the following:

- Report (September 25, 2006) from the Chief Planner and Executive Director, City Planning [Communication 16(b)].

Communications:

- (September 21, 2006) from Paul Sannella [Communication 16(a)(1)];
- (September 22, 2006) from Stuart Sibulash [Communication 16(a)(2)];
- (September 20, 2006) from Mark Noskiewicz, Goodmans LLP, Barristers & Solicitors [Communication 16(a)(3)];
- (September 21, 2006) from Ann Marie Ferraro [Communication 16(a)(4)];
- (September 22, 2006) from Alan Irwin [Communication 16(a)(5)];
- (September 22, 2006) from Abraham Birenbaum and Ira Band [Communication 16(a)(6)];
- (September 22, 2006) from Annette Frymer [Communication 16(a)(7)];
- (September 22, 2006) from Sue Dexter [Communication 16(a)(8)];
- (September 23, 2006) from Karen M. Menkis [Communication 16(a)(9)];
- (September 23, 2006) from Robert Heathcote [Communication 16(a)(10)];
- (September 23, 2006) from Sandra Shaul [Communication 16(a)(11)];
- (September 23, 2006) from Susan Stock [Communication 16(a)(12)];
- (September 24, 2006) from Liz Sauter [Communication 16(a)(13)];
- (September 24, 2006) from Ila Bossons [Communication 16(a)(14)];

- (September 24, 2006) from Catherine Nasmith Architect [Communication 16(a)(15)];
- (September 21, 2006) from Martin Pearl, The Pearl Group of Companies [Communication 16(a)(16)];
- (September 22, 2006) from Harold G. Elston, Elstons LLP, Barristers & Solicitors [Communication 16(a)(17)];
- (September 25, 2006) from Lynne Patterson [Communication 16(a)(18)];
- (September 25, 2006) from Richard Longley [Communication 16(a)(19)];
- (September 25, 2006) from Judy Stephens, Rumah Inc. [Communication 16(a)(20)];
- (September 25, 2006) from Ann Homan [Communication 16(a)(21)];
- (September 25, 2006) from Adam Vaughan [Communication 16(a)(22)];
- (September 26, 2006) from Helen Kennedy [Communication 16(a)(23)];
- (September 13, 2006) from Annette Frymer [Communication 16(a)(24)];
- (September 21, 2006) from Birenbaum Consultants Inc. [Communication 16(a)(25)];

- (September 25, 2006) Petition containing the signatures of approximately 121 Residents, Business Owners and Property Owners of Queen Street West [Communication 16(c)]; and

- (September 17, 2006) Petition containing the signatures of approximately 94 individuals, submitted by Councillor Cesar Palacio, Ward 17, Davenport [Communication 16(d)].

20 Refusal Report - Official Plan Amendment and Rezoning Application - 45 Lisgar Street (Ward 18 - Davenport)

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

21 Refusal and Request for Direction Report – Rezoning and Site Plan Applications – 371, 373-377 and 379 King Street West (Ward 20 - Trinity-Spadina)

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

22 Refusal Report - Official Plan Amendment and Rezoning and Site Plan Applications – 18 Brownlow Avenue (Ward 22 - St. Paul's)

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

23 Refusal Report - Official Plan Amendment and Rezoning Application - 8, 10, 10R Price Street and 1095-1107 Yonge Street (Ward 27 - Toronto Centre -Rosedale)

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

24 Refusal and Directions Report - Official Plan Amendment and Rezoning Application - 444 Yonge Street (Ward 27 - Toronto Centre-Rosedale)

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

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

- (2) should the application be appealed to the Ontario Municipal Board (the ‘OMB’), Council authorize the City Solicitor to request the OMB to set a hearing date only after such time as Council has had an opportunity to provide the City Solicitor with directions regarding this matter; and
- (3) in the event of (1) or (2) above, a Further Report would be required from the Director, Community Planning, Toronto and East York District that provides a complete analysis of the appropriate facilities, services or matters to be secured under Section 37 of the *Planning Act*, and which may include:
 - (i) maintenance to College Park and the Barbara Ann Scott skating rink;
 - (ii) public transit improvements at the College Park Subway Station;
 - (iii) park development within the vicinity of the development; and/or
 - (iv) streetscape improvements along Bay Street within the vicinity of the development.”

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

Council also considered the following:

- Report (September 26, 2006) from the Chief Planner and Executive Director, City Planning [Communication 25(b)].

Communication:

- (September 21, 2006) from T.W. Bermingham, Blake, Cassels and Graydon LLP, Barristers and Solicitors [Communication 25(a)].

25 Supplementary Report regarding Section 37 and Private Tree Removal – 4, 6 and 8 St. Thomas Street and 100-110 Charles Street West (Ward 27 - Toronto Centre-Rosedale)

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

26 Liberty Village Area Study - Live/Work Uses (Ward 14 - Parkdale-High Park)

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

Council also considered the following:

Communication:

- (September 12, 2006) from Wilson Lee [Communication 26(a)].

27 Request for Direction Report - Site Plan Approval Application and Removal of Eleven and Injury of Three Privately Owned Trees – 1250 Bayview Avenue – Mount Pleasant Cemetery (Ward 22 - St. Paul's)

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

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

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

Council also considered the following:

Communications:

- (September 21, 2006) from Karen Duffy, addressed to Terry Howes [Communication 27(a)(1)];
 - (September 14, 2006) from Gwynneth Powell [Communication 27(a)(2)];
 - (September 13, 2006) from Ina Elias, Elias + Associates, Landscape Architects [Communication 27(a)(3)]; and
 - (September 13, 2006) from Andrew and Angela Kirk [Communication 27(a)(4)].
-
- Confidential communication (September 27, 2006) from the City Solicitor [Confidential Communication C.27(a)]. This communication 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.

28 Inclusion on the City of Toronto Inventory of Heritage Properties - 1006 Bloor Street West (Paradise Theatre) (Ward 18 - Davenport)

City Council on September 25, 26, 27 and 28, 2006, adopted the following:

“That:

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

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

Council also considered the following:

- Report (September 25, 2006) from the Chief Planner and Executive Director, City Planning [Communication 49(a)].

29 Intention to Designate 12 Properties under Part IV of the *Ontario Heritage Act* - 312-356 Dundas Street West (Ward 20 - Trinity-Spadina)

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

30 Inclusion on the City of Toronto Inventory of Heritage Properties and Intention to Designate under Part IV of the *Ontario Heritage Act* - 285 Spadina Avenue (Standard Theatre) (Ward 20 - Trinity-Spadina)

City Council on September 25, 26 and 27, 2006, referred this Clause back to the Toronto and East York Community Council for consideration at its first regular meeting in 2007.

31 Inclusion on the City of Toronto Inventory of Heritage Properties - 215 Lonsdale (Etta Flick House) (Ward 22 - St. Paul's)

City Council on September 25, 26 and 27, 2006, adopted the staff recommendations contained in the Recommendations Section of the report (July 19, 2006) from the Director, Policy and Research, City Planning [as contained in the Clause].

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

Council also considered the following:

- Report (September 25, 2006) from the Chief Planner and Executive Director, City Planning [Communication 45(a)].

32 Refusal of Demolition Application under the *Ontario Heritage Act* - 200 Russell Hill Road (Ward 22 - St. Paul's)

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

33 Inclusion of 13 Properties on the City of Toronto Inventory of Heritage Properties – 1-17 and 2-10 Percy Street (James Quinn Row Houses) (Ward 28 - Toronto Centre-Rosedale)

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

34 Inclusion of 11 Properties on the City of Toronto Inventory of Heritage Properties - Broadview Avenue Survey (Ward 30 - Toronto-Danforth)

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

35 Driveway Widening - 527 Russell Hill Road (Ward 22 - St. Paul's)

City Council on September 25, 26, 27 and 28, 2006, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (September 20, 2006) from Denise Alexander [Communication 66(a)].

36 Request for an Exemption from Chapter 313 of the Former City of Toronto Municipal Code for Residential Boulevard Parking for Two Vehicles at 524 Soudan Avenue (Ward 22 - St. Paul's)

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

37 Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code for Driveway Widening at 15 Bin-Scarth Road (Ward 27 - Toronto Centre-Rosedale)

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

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

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

“It is recommended that City Council:

- (1) authorize the City Solicitor and necessary staff to attend before the Ontario Municipal Board in support of the draft plan of subdivision and conditions of subdivision approval substantially in accordance with Attachments 1 and 2 of this report; and

- (2) authorize, during the Council Election, the Chief Planner and Executive Director, City Planning, in consultation with City Solicitor, to approve terms of settlement that would result in the comprehensive redevelopment of the Bridgepoint Health site and surrounding lands substantially in accordance with Council's decision at its meeting of January 31, February 1 and 2, 2006 (Report 1, Clause 2 TEYCC)."

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

Council also considered the following:

- Report (September 25, 2006) from the City Solicitor [Communication 64(a)].

39 Further Report No. 2 - Official Plan Amendment and Rezoning Application - 146 - 160 Wellesley Street East (Ward 27 - Toronto Centre-Rosedale)

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

40 Final Report - Part Lot Control Exemption Application - 132R East Liberty Street (Ward 19 - Trinity-Spadina)

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

41 Final Report - Part Lot Control Exemption Application - 112 - 126 Kingston Road, 2110 Dundas Street East and Part of 15 and 17 Edgewood Avenue (Ward 32 - Beaches-East York)

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

42 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 900 Dufferin Street (Ward 18 - Davenport)

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

43 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 171 East Liberty Street (Ward 19 - Trinity-Spadina)

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

44 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 137 Yonge Street (Ward 28 - Toronto Centre-Rosedale)

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

45 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 431 Parliament Street (Ward 28 - Toronto Centre-Rosedale)

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

46 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 145 Queen Street West (Ward 28 - Toronto Centre-Rosedale)

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

47 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 852 - 854 Danforth Avenue (Ward 29 - Toronto Centre-Rosedale)

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

48 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 573 Gerrard Street East (Ward 30 - Toronto-Danforth)

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

49 King Liberty Village Public Art Program – Block 2A, 55 and 59 East Liberty Street (Ward 19 – Trinity-Spadina)

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

50 Festival Tower Public Art Plan (328 - 356 King Street West) (Ward 20 - Trinity-Spadina)

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

51 Four Seasons Hotel and Residences Public Art Plan (36, 38-48 Yorkville Avenue, 1263 Bay Street and 55 Scollard Street) (Ward 27 - Toronto Centre-Rosedale)

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

52 X-The Condominium Public Art Plan - 110 Charles Street East (Ward 27 - Toronto Centre-Rosedale)

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

53 Construction Staging Areas - 155 Wellington Street West - RBC Center (Ward 20 - Trinity-Spadina)

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

54 Expansion of an Existing Construction Staging Area - 825 Bay Street (Ward 27 - Toronto Centre-Rosedale)

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

55 Temporary Road Occupation to Accommodate Construction Staging Area - 25 York Street (Ward 28 - Toronto Centre-Rosedale)

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

56 Reduction of the Speed Limit - Macpherson Avenue, between Spadina Road and Avenue Road (Ward 22 - St. Paul's)

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

57 Reduction of Speed Limit to fifty kilometres per hour - University Avenue, between College Street and Front Street West (Ward 20 - Trinity-Spadina and Ward 28 - Toronto Centre-Rosedale)

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

58 Reduction of Speed Limit - Lake Shore Boulevard East/West, 100 metres east of Jarvis Street to a point 100 metres west of Spadina Avenue, and Harbour Street, from Lake Shore Boulevard West to Lake Shore Boulevard East (Ward 20 - Trinity-Spadina and Ward 28 - Toronto Centre-Rosedale)

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

59 Proposed Installation of Speed Bumps in Public Lane System – Bloor Street West, Margueretta Street, College Street and St. Clarens Avenue (Ward 18 - Davenport)

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

60 Request for Installation of Speed Humps - Beaconsfield Avenue, between Queen Street West and Afton Avenue (Ward 18 - Davenport)

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

61 Request for Installation of Speed Humps - Foxley Street, between Ossington Avenue and Dovercourt Road (Ward 19 - Trinity-Spadina)

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

62 Request for Installation of Speed Humps - Hallam Street, between Ossington Avenue and Shaw Street (Ward 19 - Trinity-Spadina)

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

63 Request for Installation of Speed Humps - Ellsworth Avenue between Vaughan Road and Christie Street (Ward 21 - St. Paul's)

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

64 Request for Installation of Speed Humps - Howland Avenue between Bridgman Avenue and Davenport Road (Ward 21 - St. Paul's)

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

65 Evaluation for the Installation of Speed Humps - Main Street, between Lumsden Avenue and Hamstead Avenue (Ward 31 - Beaches-East York)

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

66 Evaluation for the Installation of Speed Humps - Coleman Avenue, between Barrington Avenue and Dawes Road (Ward 31 - Beaches-East York)

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

67 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Ward 14 - Parkdale-High Park; Ward 18 - Davenport; Ward 21 - St. Paul's; Ward 30 - Toronto-Danforth; Ward 31 - Beaches-East York; and Ward 32 - Beaches-East York)

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

68 Construction of a Lay-by and a Disabled Persons Loading Zone - Bloor Street West, south side, west of Queen's Park/Avenue Road (Ward 20 - Trinity-Spadina)

City Council on September 25, 26 and 27, 2006, adopted the staff recommendations contained in the Recommendations Section of the report (August 24, 2006) from the Director, Transportation Services, Toronto and East York District [as contained in the Clause].

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

69 Provision of an On-Street Loading Zone for Disabled and other Persons - 130 Eglinton Avenue East, north side, between Yonge Street and Redpath Avenue (Ward 22 - St. Paul's)

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

70 Provision of a "Student Pick-up and Drop-off Area" with a Ten-Minute Maximum Parking Limit - Mill Street, south side, from Parliament Street to Cherry Street (Ward 28 - Toronto Centre-Rosedale)

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

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

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

Council also considered the following:

- Report (September 22, 2006) from the General Manager, Transportation Services [Communication 57(a)].

71 Provision of a “School Bus Loading Zone” and a “Student Pick-up and Drop-off Area” - Durant Avenue, west side, between Cosburn Avenue and Plains Road (Ward 29 - Toronto-Danforth)

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

72 Installation of “Stop” Controls - Miles Place, between Garnet Avenue and Melville Avenue (Ward 19 - Trinity-Spadina)

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

73 Proposed “Stop” Control - Intersection Public Lane and Jersey Avenue (Ward 19 - Trinity-Spadina)

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

74 Installation of a “Stop” Sign for Eastbound Traffic – Laneway intersecting Dermott Place, opposite 13 Dermott Place (Ward 28 - Toronto Centre -Rosedale)

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

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

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

Council also considered the following:

- Report (September 22, 2006) from the General Manager, Transportation Services [Communication 60(a)].

75 Proposed Installation of Traffic Control Signals – Dundas Street West and Sheridan Avenue (Ward 18 - Davenport)

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

76 Installation of Traffic Control Signals - Spadina Avenue and Wellington Street West (Ward 20 - Trinity-Spadina)

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

77 Proposed Installation of Traffic Control Signals – Spadina Crescent and Russell Street (East Branch) (Ward 20 - Trinity-Spadina)

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

78 Installation of Vapour Extraction Wells, and Shallow and Deep Injection Wells and Excavation of Portions of the Public Right of Way for Soil Remediation - Ward Street Flank of 224 Wallace Avenue (Convenience Address 24 Ward Street) (Ward 18 - Davenport)

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

79 Prohibition of Westbound Left Turns at a Specific Time at the Driveway leading from 1 Dundas Street West Bay Street, south of Dundas Street West (Ward 27 - Toronto Centre-Rosedale)

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

80 Prohibition of Northbound and Eastbound Left Turns to/from 824 Pape Avenue - Pape Avenue, south of Browning Avenue (Ward 29 - Toronto-Danforth)

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

81 Prohibition of Eastbound Left-Turns and Northbound Left Turns - Kingston Road and the driveway to 112 Kingston Road (Ward 32 - Beaches-East York)

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

82 Implementation of a “No Standing Anytime” Prohibition - Sudbury Street, north and south sides (Ward 19 - Trinity-Spadina)

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

83 Proposed Westbound Lane Designations - Blue Jays Way and Navy Wharf Court (Ward 20 - Trinity-Spadina)

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

84 Request for Alternate Side Parking - Mackenzie Crescent between Beaconsfield Avenue and Dovercourt Road (Ward 18 - Davenport)

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

85 Twenty Minutes Maximum Parking Regulation in the vicinity of the Children’s Aid Society of Toronto Building - Isabella Street, south side, east of Yonge Street (Ward 27 - Toronto Centre-Rosedale)

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

86 Installation of Pay-and-Display Parking Machines and Adjustments to Existing Parking Regulations - Dovercourt Road, west side, south of College Street (Ward 18 - Davenport)

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

87 Proposed Amendments to Parking Regulations - Shaw Street between Queen Street West and Argyle Street (Ward 19 - Trinity-Spadina)

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

88 Feasibility of Establishing a Separate Permit Parking Area - 201 and 203 Carlaw Avenue (Ward 30 - Toronto-Danforth)

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

89 Amendments to Parking Regulations - Columbine Avenue south side, east of Rainsford Road (Ward 32 - Beaches-East York)

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

90 Curb Realignment to Access Driveway - 1015 Lake Shore Boulevard East (Ward 30 - Toronto-Danforth)

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

91 Request for Alternate Side Parking - Coolmine Road between St. Annes Road and Dundas Street West (Ward 18 - Davenport)

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

92 Request for Alternate Side Parking - Yarmouth Gardens between Palmerston Avenue and Manning Avenue (Ward 20 - Trinity-Spadina)

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

93 Request to Place One Planter Box on the west side of Dovercourt Road, north of Mackenzie Crescent (Ward 18 - Davenport)

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

94 Request to Place two Planter Boxes at the intersection of Middleton Street and Sheridan Avenue (Ward 18 - Davenport)

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

95 Placement of one Planter Box on the west side of Rusholme Road, south of Heydon Park Road (Ward 18 - Davenport)

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

96 Placement of two Planter Boxes at the intersection of Rusholme Road and St. Annes Road (Ward 18 - Davenport)

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

97 Placement of one Planter Box on the west side of Robert Street, south of Bloor Street West, on a trial basis (Ward 20 - Trinity-Spadina)

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

98 Installation of Decorative Sidewalks with Granite Pavers - 11 St. Thomas Street and on the Charles Street West Flank (Ward 27 - Toronto Centre-Rosedale)

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

99 Installation of Decorative Sidewalks with Stone and Granite Paving - 116 Yorkville Avenue and on Hazelton Avenue Flank (Ward 27 - Toronto Centre-Rosedale)

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

100 Installation of Five Cross Street Displays on Danforth Avenue, from Broadview Avenue to Jones Avenue - Greek Town and Danforth Business Improvement Areas (Wards 29 and 30 - Toronto-Danforth)

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

101 Proposed Installation of Pedestrian Crossover (PXO) - Vaughan Road and Louise Avenue (Ward 21 - St. Paul's)

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

102 Request to Install a Pedestrian Crossover - Elizabeth Street, between Dundas Street West and Edward Street (Ward 27 - Toronto Centre -Rosedale)

City Council on September 25, 26 and 27, 2006, referred this Clause to the General Manager, Transportation Services, in consultation with the Toronto Transit Commission, to find a permanent solution and report to Toronto and East York Community Council in January 2007.

103 Proposed Relocation of Southbound Weekday Peak Period Entry Prohibition - Eglinton Avenue West and Braemar Avenue (Ward 22 - St. Paul's)

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

104 Expansion of an Existing Tunnel beneath Bremner Boulevard Linking 15 York Street (Maple Leaf Square) to 40 Bay Street (Air Canada Centre) (Ward 28 - Toronto Centre-Rosedale)

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

105 Designation of Fire Routes in the City of Toronto, Toronto and East York Community Council Area (Ward 20 - Trinity-Spadina and Ward 27 - Toronto Centre-Rosedale)

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

106 Interim Status Report - Feasibility of Streetscape Improvements and other measures to Enhance Pedestrian Environment and Cycling Infrastructure in the Waterfront in connection with 15 York Street (Ward 20 - Trinity-Spadina and Ward 28 - Toronto Centre-Rosedale)

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

107 Naming of Public Lane South of Queen Street West, Extending Westerly from Peter Street (Ward 20 - Trinity-Spadina)

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

108 Naming of Private Lane located west of Spadina Avenue, extending northerly from Fort York Boulevard (Ward 20 - Trinity-Spadina)

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

109 Sale of Surplus Property - Portion of 28 Bathurst Street at the rear of 73 Niagara Street (Ward 20 - Trinity-Spadina)

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

110 Surplus Land Declaration and Proposed Closing of a portion of the Public Lane abutting 286 King Street East and 501 Adelaide Street East (Ward 28 - Toronto Centre-Rosedale)

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

111 Sale of Parcel of Vacant Land - rear of 17 and 25 Gledhill Avenue (Ward 31 - Beaches-East York)

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

112 Proposed Renaming of Avenue Road Playground to Robertson Davies Park (Ward 22 - St. Paul's)

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

113 Naming of the Gymnasium at East York Community Centre in honour of Roy Brigham (Ward 29 - Toronto-Danforth)

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

114 Ontario Municipal Board Appeal - 256 Crawford Street (Ward 19 - Trinity -Spadina)

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

115 Change to Parking Regulation on Pape Avenue between Queen Street East and Louvain Avenue (Ward 30- Toronto-Danforth)

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

116 Appointments to the Board of Management of Central Eglinton Community Centre (Ward 22 – St. Paul’s)

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

117 Appointments to the Board of Management of the Ralph Thornton Centre (Ward 30 – Toronto-Danforth)

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

118 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 240 Queen Street West (Ward 20 - Trinity-Spadina)

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

119 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 393 Queen Street West (Ward 20 - Trinity-Spadina)

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

120 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 349 Queen Street West (Ward 20 - Trinity-Spadina)

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

121 Request for Installation of Speed Humps - Shanly Street between Dufferin Street and Dovercourt Road (Davenport, Ward 18)

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

122 Request to Delete Section 37 Agreement - 400 Front Street West (Ward 20 - Trinity-Spadina)

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

Council also considered the following:

- Confidential report (September 11, 2006) from the City Solicitor [Confidential Communication C.12(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege:

“It is recommended that:

- (1) the City Solicitor and other appropriate City officials be authorized to take such action as may be necessary to delete the Section 37 Agreement registered as Instrument No. E225160, registered on January 27, 1999, between the City and City Front Developments Inc. from title to the lands known municipally as 400 Front Street West (the ‘Lands’) and to consensually set aside the settlement provided for in such agreement in accordance with the request of the owner of the Lands as set forth in their solicitors letter of July 18, 2006; and
- (2) staff be authorized to deal with the Lands in the normal course should new applications be submitted.”

123 Commercial Heritage Conservation District Queen Street East, from the Don River, east to Degrassi Street (Ward 30 - Toronto-Danforth)

City Council on September 25, 26 and 27, 2006, adopted the following staff recommendations contained in the Recommendations Section of the supplementary report (September 25, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

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

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

Council also considered the following:

- Report (September 25, 2006) from the Chief Planner and Executive Director, City Planning [Communication 48(a)].

124 Honourary Street Name Sign - “Gilda Radner Way” (Ward 28 - Toronto Centre-Rosedale)

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

125 Installation of a Wrought Iron Fence together with Stone Columns - 200 Moore Avenue (Ward 27 - Toronto Centre-Rosedale)

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

126 Removal of all Redundant Street Poles in the Downtown and Central, Waterfront by the end of 2006 (Ward 28 - Toronto Centre-Rosedale)

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

127 Other Items Considered by Community Council

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

Councillor Shiner declared an interest in Item (a), entitled “Intention to Designate under Part IV of the *Ontario Heritage Act*, Approval of Alterations to a Heritage Building and Authority to Enter into a Heritage Easement Agreement – 570 King Street West (Toronto Silver Plate Building) (Ward 20 – Trinity-Spadina)”, contained in this Clause, in that his family owns property which is being considered for a heritage designation.

Toronto and East York Community Council Report 8

1 Final Report - King Spadina Secondary Plan Review (Ward 20 - Trinity -Spadina)

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

- (1) in accordance with the following motion:

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

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

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

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) amend Recommendation (4) of the Toronto and East York Community Council respecting the King- Spadina Secondary Plan Review to authorize the City Solicitor to replace the Section 12 (1) exception to be incorporated into the Zoning By-law Amendment substantially in accordance with the following Section 12(1) exceptions:

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

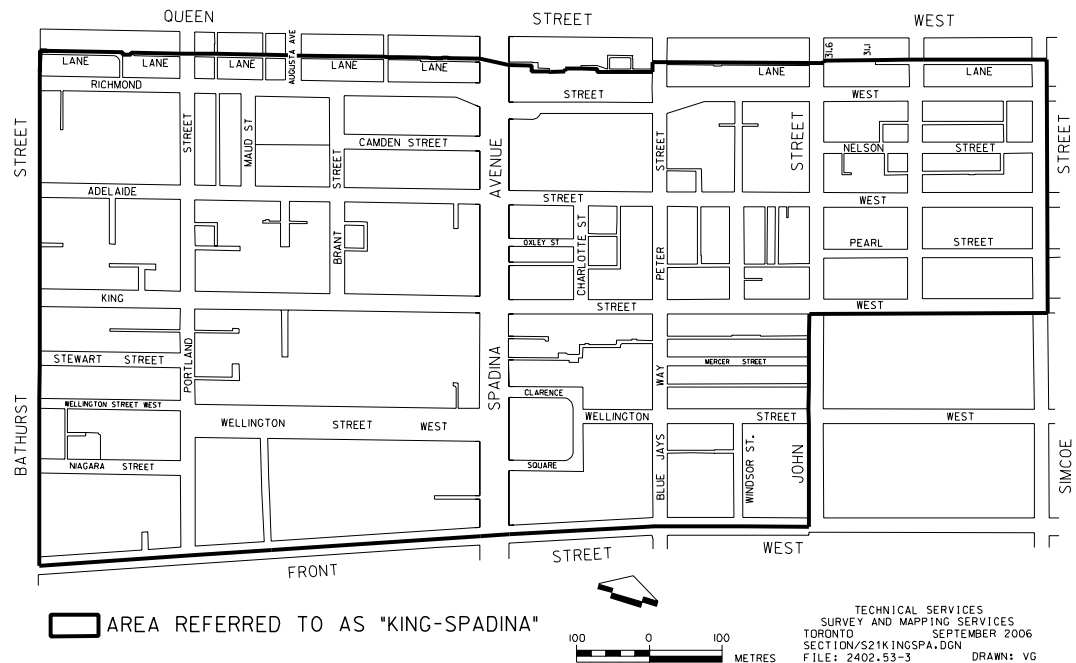
- (i) the building or structure is erected and used in accordance with the applicable Ontario Municipal Board or Committee of Adjustment decision listed below;
- (ii) the extent of any non-compliance is limited to any inconsistency between such decisions and Section 7(3) PART II 8 and/or Section 7(3) PART III 2; and

- (iii) the first building permit to erect such building permitted by this paragraph issued no later than December 31, 2008:
- A. 126 Simcoe Street and 11-15 Nelson Street, pursuant to Committee of Adjustment decisions dated April 4, 2003 being File No. A0108/03TEY and dated December 15, 2005 being File No. A0863/05TEY provided no part of such building or structure, including the structures described in Section 4(2) (a) is located outside of the building envelopes or above the height limits above grade shown on the map below [map to be inserted per Committee of Adjustment Decision];
 - B. 445 Adelaide Street West, pursuant to Committee of Adjustment decision dated December 14, 2005, being File No. A0853/05TEY;
 - C. 51 Bathurst Street, pursuant to Committee of Adjustment decision dated October 21, 2005, being File No. A0515/05TEY;
 - D. 24 Charlotte Street, pursuant to Committee of Adjustment decision dated December 12, 2005, being File No. A0728/05 TEY;
 - E. 478 King Street West, pursuant to OMB Decision No. 0248, issued January 24, 2006, respecting Committee of Adjustment File Nos. A0450/05TEY and A0450/05TEY;
 - F. 92 Peter Street, pursuant to Committee of Adjustment decision dated December 14, 2005, being File No. A0854/05TEY; and
 - G. 400 Wellington Street West, pursuant to OMB Decision No. 2477, issued September 21, 2005, respecting Committee of Adjustment File No. A0088/05TEY;'

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

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

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



- (3) determine that no further notice for such amendments is required, in accordance with Section 34(17) of the *Planning Act*; and
 - (4) authorize the City Solicitor to make any necessary changes to the wording of the exceptions and final Bills as may be required to give effect to the recommendations adopted by Council in this matter.”; and
- (2) by adding the following:
- “That the Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Transportation City Committee on the following:

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

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

Council also considered the following:

Communications:

- (September 25, 2006) from Kim M. Kovar, Aird and Berlis LLP, Barristers and Solicitors [Communication 52(a)];
 - (September 26, 2006) from Roslyn Houser, Goodmans LLP, Barristers and Solicitors [Communication 52(b)];
 - (September 26, 2006) from John A.R. Dawson, McCarthy Tétrault, Barristers and Solicitors [Communication 52(c)];
 - (September 27, 2006) from Patrick J. Devine, Goodman and Carr LLP, Barristers and Solicitors [Communication 52(d)];
 - (September 26, 2006) from Douglas B. Quick, Goodman and Carr LLP, Barristers and Solicitors [Communication 52(e)]; and
 - (September 26, 2006) from Jason Park, Goodman and Carr LLP, Barristers and Solicitors [Communication 52(f)].
-

Councillor Shiner declared an interest in this Clause, in that his family owns property in the immediate area.

2 VariANCES FROM CHAPTER 297, SIGNS, OF THE FORMER CITY OF TORONTO MUNICIPAL CODE - 1171 QUEEN STREET WEST (WARD 18 – DAVENPORT)

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

3 VariANCES FROM CHAPTER 297, SIGNS, OF THE FORMER CITY OF TORONTO MUNICIPAL CODE - 834 COLLEGE STREET (WARD 19 - TRINITY-SPADINA)

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

4 VARIANCE FROM CHAPTER 297, SIGNS, OF THE FORMER CITY OF TORONTO MUNICIPAL CODE - 548 YONGE STREET (WARD 27 - TORONTO CENTRE - ROSEDALE)

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

5 VARIANCE FROM CHAPTER 297, SIGNS, OF THE FORMER CITY OF TORONTO MUNICIPAL CODE - 1A ATLANTIC AVENUE (WARD 19 - TRINITY-SPADINA)

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

6 RESIDENTIAL DEMOLITION APPLICATION - 339 QUEEN STREET WEST (WARD 20 - TRINITY-SPADINA)

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

7 REQUEST FOR AN EXEMPTION FROM CHAPTER 248 OF THE FORMER CITY OF TORONTO MUNICIPAL CODE TO PERMIT DRIVEWAY WIDENING - 730 BRIAR HILL AVENUE (WARD 21 - ST. PAUL'S)

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

8 REQUEST FOR AN EXEMPTION FROM CHAPTER 248 OF THE FORMER CITY OF TORONTO MUNICIPAL CODE TO PERMIT DRIVEWAY WIDENING - 58 ELM RIDGE DRIVE (WARD 21 - ST. PAUL'S)

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

9 Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking for a Second Vehicle - 243 Lonsdale Road (Ward 22 - St. Paul's)

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

10 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for a Second Vehicle - 552 Merton Street (Ward 22 - St. Paul's)

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

11 Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking - 74 Eaton Avenue (Ward 29 - Toronto-Danforth)

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

12 Revocation of Permit to Operate a Boulevard Café - Buddha Bar - 612 College Street (Ward 19 - Trinity-Spadina)

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

13 Operation of a Boulevard Cafe - Brant House 522 King Street West on the Brant Street Flankage (Ward 20 - Trinity-Spadina)

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

14 Operation of the Boulevard Café Philthy McNasty's - 130 Eglinton Avenue East (Ward 22 - St. Paul's)

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

15 Revocation of Permit to Operate a Boulevard Café - Montreal Bread Company - rear of and opposite 100 Bloor Street West - Critchley Lane (Ward 27 - Toronto Centre-Rosedale)

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

Councillor Li Preti declared an interest in this Clause, in that his daughter is a consultant with the subject company.

16 Revocation of Two Vending Permits - Melinda Street, (Ward 28 - Toronto Centre-Rosedale)

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

17 Exemption to Toronto Municipal Code, Chapter 447 – Fences - 194 Floyd Avenue (Ward 29 - Toronto-Danforth)

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

18 Exemption to Toronto Municipal Code, Chapter 447 - Fences - 166 Balsam Avenue (Ward 32 - Beaches-East York)

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

Council also considered the following:

Communication:

- (September 21, 2006) from Kathy Vey [Communication 39(a)]; and
- (September 22, 2006) from R.G. Bundy [Communication 39(b)].

19 Installation of a Fence with a Cantilever Gate Operator - 1 1/2 Beaumont Road (Ward 27 - Toronto Centre-Rosedale)

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

20 Lease of a Portion of a Public Right of Way for Canopy Enclosure - Fenwick Avenue Flank of 521 Danforth Avenue (The Lucky Spot) (Ward 30 - Toronto-Danforth)

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

21 Proposed “Stop” Sign Control for Eastbound Motorists on Oxtan Avenue at Oriole Parkway (Ward 22 - St. Paul’s)

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

22 Hilltop Road, east and west sides - Implementation of “No Standing Anytime” Prohibition (Ward 21 - St. Paul’s)

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

23 Installation of On-Street Parking Spaces for Persons with Disabilities (Ward 18 - Davenport)

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

24 Turn Prohibitions Respecting 150 Dupont Street – Davenport Road and Dupont Street, Northwest Corner (Ward 20 - Trinity-Spadina)

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

25 Temporary Road Occupation for Construction Staging Area – 455 Adelaide Street West (Ward 20 - Trinity-Spadina)

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

26 Status Report - 609 Avenue Road (Ward 22 - St. Paul’s)

City Council on September 25, 26 and 27, 2006, adopted the following staff recommendations contained in the Recommendations Section of the supplementary report (September 25, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

- (1) direct the City Solicitor to advise the Ontario Municipal Board (the OMB) that the City of Toronto requests the OMB to refuse the applications to amend the Official Plan and Zoning By-law (05 193926 STE 22 SA) and the associated site plan application respecting the construction of a 17-storey residential condominium building in their current form;

- (2) instruct the City Solicitor to request the OMB to impose conditions under Section 37 of the *Planning Act*, in accordance with the policies of the Official Plan, to secure appropriate community benefits in the event the OMB approves a form of development as proposed by the applicant; and
- (3) authorize the City Solicitor, the Chief Planner and Executive Director, City Planning Division and any other appropriate staff to appear at the OMB hearing in support of the City's position as set out in Recommendations (1) and (2) of this report."

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

Council also considered the following:

- Report (September 25, 2006) from the Chief Planner and Executive Director, City Planning [Communication 55(a)].

27 Special Street Name Sign – “Moses Znaimer Way” (Ward 20 – Trinity-Spadina)

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

28 Speed Hump Poll Results - Plains Road, between Donlands Avenue and Woodbine Avenue (Ward 29 - Toronto-Danforth and Ward 31 - Beaches-East York)

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

29 Residential Demolition Application - 522 St. Clair Avenue West (Ward 31 - St. Paul's)

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

30 Request to Install all-way “Stop” Control - Queens Quay West and Little Norway Crescent (Ward 20 - Trinity-Spadina)

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

31 Proposed Amendments to Parking Regulations - Frankish Avenue, between Sheridan Avenue and Brock Avenue (Ward 18 - Davenport)

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

32 Parking and Permit Parking Regulation Amendments - Hillingdon Avenue (Ward 32 - Beaches-East York)

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

33 Authority to Amend Section 37 Agreement and Heritage Easement Agreement - 106 King Street East (Ward 28 - Toronto Centre-Rosedale)

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

34 Committee of Adjustment Decision – 69-81 Portland Street

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

35 Wales Avenue - Permit Parking Change (Ward 20 - Trinity-Spadina)

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

36 Ontario Municipal Board Hearing - 19 - 29 Maughan Crescent (Ward 32 - Beaches-East York)

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

37 Community Vehicular Reclamation Project – Augusta Avenue (Ward 20 - Trinity-Spadina)

City Council on September 25, 26 and 27, 2006, adopted the staff recommendations contained in the Recommendations Section of the report (September 25, 2006) from the General Manager, Transportation Services, with the exception of Recommendations (1)(b) and (1)(c), so that the recommendations, as amended and renumbered, now read as follows:

“It is recommended that:

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

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

Council also considered the following:

- Report (September 25, 2006) from the General Manager, Transportation Services [Communication 58(a)].

38 Amendment to Agreement for Use of City Property - San Lorenzo Latin American Community Centre - 375 Unwin Avenue (Ward 30 - Toronto-Danforth)

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

39 Amendment to the Section 37 Agreement - Development of the Festival Centre and Tower – 42-storey Mixed-use

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

40 Intention to Designate under the *Ontario Heritage Act* - 48 Abell Street (Ward 18 - Davenport)

City Council on September 25, 26, 27 and 28, 2006, adopted the following:

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

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

Council also considered the following:

- Report (September 27, 2006) from the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation [Communication 68(a)].

Communications:

- (September 22, 2006) from David Bronskill, Goodmans LLP, Barristers & Solicitors [Communication 34(a)];
- (September 25, 2006) from Sharlene Tan [Communication 34(b)(1)];
- (September 25, 2006) from Adam Westland [Communication 34(b)(2)];
- (September 25, 2006) from Shelly Hong [Communication 34(b)(3)];
- (September 24, 2006) from Shirley Yanover [Communication 34(b)(4)];
- (September 24, 2006) from Edmund Law [Communication 34(b)(5)];
- (September 24, 2006) from Barnaby Marshall [Communication 34(b)(6)];
- (September 24, 2006) from Teresa Pavlinek [Communication 34(b)(7)];
- (September 24, 2006) from Miklos Legrady [Communication 34(b)(8)];
- (September 24, 2006) from John Abrams and Carla Garnet [Communication 34(b)(9)];
- (September 22, 2006) from Brad Doner [Communication 34(b)(10)];
- (September 22, 2006) from Victoria Taylor and Brian Richer [Communication 34(b)(11)];
- (September 23, 2006) from Mark Laliberte [Communication 34(b)(12)];
- (September 22, 2006) from Heather Haynes [Communication 34(b)(13)];
- (September 23, 2006) from Shannon Cochrane [Communication 34(b)(14)];
- (September 25, 2006) from Lydia and Paul Willis [Communication 34(b)(15)];
- (September 25, 2006) from Dayna VanHarten [Communication 34(b)(16)];
- (September 24, 2006) from Leila Ashtari [Communication 34(b)(17)];
- (September 25, 2006) from Malcolm Brown [Communication 34(b)(18)];

- (September 24, 2006) from Monique Moses [Communication 34(b)(19)];
- (September 24, 2006) from the Seema Narula [Communication 34(b)(20)];
- (September 24, 2006) from Karl Bustamante [Communication 34(b)(21)];
- (September 24, 2006) from Johanna Householder
[Communication 34(b)(22)];
- (September 24, 2006) from Cam de Laat [Communication 34(b)(23)];
- (September 22, 2006) from Lewis Kaye [Communication 34(b)(24)];
- (September 24, 2006) from Elliott Mealia [Communication 34(b)(25)];
- (September 22, 2006) from Janna Levitt [Communication 34(b)(26)];
- (September 24, 2006) from Jennifer Campbell
[Communication 34(b)(27)];
- (September 24, 2006) from Jessica Rose [Communication 34(b)(28)];
- (September 24, 2006) from Michelle Van Eyk
[Communication 34(b)(29)];
- (September 24, 2006) from Gary Campbell [Communication 34(b)(30)];
- (September 24, 2006) from Tanya Osmond [Communication 34(b)(31)];
- (September 23, 2006) from Clint Roenisch [Communication 34(b)(32)];
- (September 22, 2006) from Vera Frenkel [Communication 34(b)(33)];
- (September 24, 2006) from Gina Lubin [Communication 34(b)(34)];
- (September 24, 2006) from Sabrina Saccoccio
[Communication 34(b)(35)];
- (September 24, 2006) from Beau Dickson [Communication 34(b)(36)];
- (September 22, 2006) from Cheryl Huber [Communication 34(b)(37)];
- (September 25, 2006) from Kimberly Moniz [Communication 34(b)(38)];
- (September 25, 2006) from Lynne Patterson [Communication 34(b)(39)];
- (September 25, 2006) from Tim de Munnik [Communication 34(b)(40)];
- (September 25, 2006) from Matt Wyatt [Communication 34(b)(41)];
- (September 25, 2006) from Dean Baldwin [Communication 34(b)(42)];
- (September 25, 2006) from Camilla Singh [Communication 34(b)(43)];
- (September 25, 2006) from Suzanne Carte-Blanchenet
[Communication 34(b)(44)];
- (September 25, 2006) from Chen Tamir [Communication 34(b)(45)];
- (September 25, 2006) from Erika James [Communication 34(b)(46)];
- (September 25, 2006) from Cecilia Berkovic [Communication 34(b)(47)];
- (September 25, 2006) from Priam Givord [Communication 34(b)(48)];
- (September 25, 2006) from Catherine Dean [Communication 34(b)(49)];
- (September 25, 2006) from Ann Homan [Communication 34(b)(50)];
- (September 22, 2006) from Michel Caron [Communication 34(b)(51)];
- (September 24, 2006) from Jessica Wyman [Communication 34(b)(52)];
- (September 22, 2006) from Michelle Gay [Communication 34(b)(53)];
- (September 25, 2006) from Jonathan Friedman
[Communication 34(b)(54)];
- (September 22, 2006) from Stephen Bulger [Communication 34(b)(55)];
- (September 25, 2006) from Jason Van Eyk [Communication 34(b)(56)];
- (September 25, 2006) from Suzanne Abate [Communication 34(b)(57)];
- (September 25, 2006) from Stuart Knight [Communication 34(b)(58)];

- (September 25, 2006) from Adam Vaughan [Communication 34(b)(59)];
- (September 24, 2006) from Catherine Nasmith Architect [Communication 34(b)(60)];
- (September 24, 2006) from David Bronskill, Goodmans LLP, Barristers & Solicitors [Communication 34(b)(61)];
- (September 25, 2006) from Joseph Flasko [Communication 34(b)(62)];
- (September 25, 2006) from Sophie Hackett [Communication 34(b)(63)];
- (September 25, 2006) from Aubrey Reeves [Communication 34(b)(64)];
- (September 26, 2006) from Kristi-Ly Green [Communication 34(b)(65)];
- (September 26, 2006) from Claire Ironside [Communication 34(b)(66)];
- (September 27, 2006) from Su Rynard [Communication 34(b)(67)];
- (September 27, 2006) from Nadia Belerique [Communication 34(b)(68)];
- (September 27, 2006) from Shelley Adler [Communication 34(b)(69)];
- and
- (September 28, 2006) from Ruth Tait, Gallery Administrator/Curatorial Assistant, Propeller Centre for Visual Arts [Communication 34(b)(70)].

-
- Confidential report (September 27, 2006) from the City Solicitor [Confidential Communication C.28(a)]. The following staff Recommendations (2), (3) and (4) 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 and also related to the security of the property of the municipality:

“It is recommended that:

- (2) in the event the owner of 150 Sudbury Street provides 25 percent of its site for parkland under the alternative parkland rate, the property be released from the ‘H’ condition on the WQWT with respect to securing parkland;
- (3) the applicants be requested to enter into Section 37 agreements as a condition of Official Plan Amendment and Rezoning as set out in Schedule A to this report to the satisfaction of the City Solicitor;
- (4) if Council adopts Recommendations (2) to (4), those recommendations be made public;”. [Council adopted these recommendations during its consideration of Administration Committee Report 6, Clause 43. See Page 42.]

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

41 Proposed Installation of Speed Humps - Northern Dancer Boulevard, between Lake Shore Boulevard East and Queen Street East (Ward 32 - Beaches-East York)

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

42 Railway Lands East Precinct Agreement 25 York Street (Ward 28 - Toronto Centre-Rosedale)

City Council on September 25, 26 and 27, 2006, adopted the staff recommendations contained in the Recommendations Section of the confidential report (September 20, 2006) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

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

Council also considered the following:

- Confidential report (September 20, 2006) from the City Solicitor [Confidential Communication C.23(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.

43 Other Items Considered by Community Council

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

Notices of Motions

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

Moved by Mayor Miller, seconded by Councillor Lindsay Luby

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

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

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

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

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

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

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

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

Council also considered the following:

Communication:

- (July 25, 2006) from Lynda Elmy, Communications Manager, Toronto Humane Society [Communication 1(a)].
- Fiscal Impact Statement (July 26, 2006) from the Deputy City Manager and Chief Financial Officer.

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

Moved by Councillor Palacio, seconded by Councillor Lindsay Luby

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

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

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

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

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

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT as an urgent matter of public health and safety, Toronto City Council request that the provincial government introduce legislation deeming public transit service in the City of Toronto an essential service."

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Executive Committee.

I(3) Establishment of a Property Assessment Reform Task-Force (PART)

Moved by Councillor Walker, seconded by Councillor Stintz

“**WHEREAS**, in 1998, the Province of Ontario imposed the unfair system of Current Value Assessment (CVA) on all City of Toronto properties; and

WHEREAS since 1998, Current Value Assessment has produced steady and steep reassessment and tax increases in nearly half of all City Wards in the City of Toronto; and

WHEREAS a basic principle of any tax system, especially a municipal tax system, is that it be fair, logical, predictable and stable; and

WHEREAS municipal property tax should relate more to municipal services consumed than to the market desirability of the assessed property’s location; and

WHEREAS, in many cases, residents are paying more taxes and receiving less service; and

WHEREAS it is City Council’s basic and moral responsibility to calculate taxes fairly; and

WHEREAS there has been a near total lack of focus on this issue here at City Hall for the last seven years, while the volatility and unfairness of CVA continues unchecked; and

WHEREAS City Council needs to effectively communicate to the Province the need and desire to control its system of property tax assessment, in order to have autonomy over its most fundamental revenue tool; and

WHEREAS the Ontario Ombudsman’s scathing criticism of the Municipal Property Assessment Corporation (MPAC) offers both the City of Toronto and the Province of Ontario a renewed opportunity to reform the present volatile and malignant municipal tax system;

NOW THEREFORE BE IT RESOLVED THAT City Council immediately establish, in accordance to the terms of reference appended to this Motion, a ‘Property Assessment Reform Task Force (acronym = PART)’ to deal with reform of the property assessment system by investigating other property assessment systems in use in other provinces and other countries to create new options for property assessment systems that may be used by the City of Toronto to collect municipal property taxes in a more fair, equitable, predictable and affordable manner, and that such Task Force will lobby the provincial government for Property Tax Assessment Reform, and that the attached terms of reference be approved.”

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Executive Committee.

Council also considered the following:

Communication:

- (July 26, 2006) from the City Clerk [Communication 2(a)].

- Terms of Reference - Establishment of Task Force: Property Assessment Reform Task-Force (PART).

- Fiscal Impact Statement (July 26, 2006) from the Deputy City Manager and Chief Financial Officer.

I(4) Follow-up on Report Request of June 2005 respecting Social Services Spending and Reallocation of Funds to Provide Investment to 13 Identified Communities

Moved by Councillor Del Grande, seconded by Councillor Augimeri

“**WHEREAS** in June 2005, the City of Toronto and the United Way jointly released the ‘Strong Neighbourhoods - A Call for Action’ report; and

WHEREAS that report identified 9 communities ‘most in need of immediate and focused investment’ - this number was later expanded to 13 communities by City Council; and

WHEREAS on June 29, 2005, the Community Services Committee considered a letter from Councillor Del Grande that requested certain specific information about past and present social services spending, as well as options for reallocating funds to provide this ‘immediate and focused investment’; and

WHEREAS that letter was referred to the Policy and Finance Committee on its way to City Council, where it was referred to staff for a response, with staff requested to report back to the Policy and Finance Committee by no later than September 20, 2005; and

WHEREAS this request was referenced in the report (October 5, 2006) from Deputy Commissioner Sue Corke, entitled ‘Toronto Strong Neighbourhoods Strategy’ [Policy and Finance Committee Report 9, Clause 6]; this reference does not constitute the response that was requested; and

WHEREAS to date, the requested information has not been provided as staff suggest that compiling it is not possible - a fact that, in the opinion of those Councillors representing these communities, is a contributing factor to the inequitable distribution of social services funds;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council re-affirm its previous information request of staff and re-direct staff to provide the requested information to the Policy and Finance Committee by no later than November 12, 2006.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

I(5) Request for Poll on Bike Lanes - Cosburn Avenue between Broadview Avenue and Coxwell Avenue

Moved by Councillor Ootes, seconded by Deputy Mayor Feldman

“**WHEREAS** bike lanes were installed on Cosburn Avenue, between Broadview Avenue and Coxwell Avenue (Ward 29), and on Cosburn Avenue, between Coxwell Avenue and Oak Park Road (Ward 31) in October 2004; and

WHEREAS the infiltration of vehicular traffic to other residential streets (motorists wanting to avoid the bike lanes on Cosburn Avenue) has caused concern for neighbouring residents; and

WHEREAS the delay and subsequent idling of vehicles during rush hour, caused by the decreased vehicular traffic lanes, results in increased pollution; and

WHEREAS there already exists a number of safe and suitable east-west bike lanes and roadways for the use of bicyclists in Ward 29;

NOW THEREFORE BE IT RESOLVED THAT the General Manager, Transportation Services, in consultation with the Ward Councillor, create a poll for the area’s residents (in Ward 29), including those living on Cosburn Avenue and in the neighbouring vicinity, to determine if they are in favour of, or opposed to the bike lanes on Cosburn Avenue;

AND BE IT FURTHER RESOLVED THAT this poll be conducted in September 2006.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, did not adopt this Motion.

Council also considered the following:

Communication:

- (September 13, 2006) from Councillor Case Ootes, Ward 29, Toronto-Danforth [Communication 67(a)].

I(6) Extreme Heat Alerts

Moved by Councillor Silva, seconded by Councillor Mihevc

“**WHEREAS** Toronto experienced a heat wave beginning on July 14 yet the City did not issue a Heat Alert or an Extreme Heat Alert until July 16; this undoubtedly caused great hardship for people who are known to be vulnerable to the heat, for example the elderly, people living in substandard housing and people with disabilities who may not have access to air-conditioned space; and

WHEREAS in the 2005 heat wave in Toronto, there were six reported heat related deaths of individuals who lived in rooming and boarding homes; and

WHEREAS extreme heat is expected to revisit Toronto in the days to come Environment Canada predicts temperatures as high as 32 C within days and past experience tells us that a Heat Alert or Extreme Heat Alert may not be called, and even if it is, it may not provide adequate City-wide cooling sites or outreach to seniors; and

WHEREAS it is widely recognized that the most critical measures to reduce heat related deaths are early warning systems, the immediate opening of neighbourhood based cooling centres, outreach to vulnerable populations and energy assistance programs; and

WHEREAS past experience, specifically the 700 deaths in the 1995 Chicago heat wave, has led many American cities to develop innovative public health responses to a heat emergency, for example during the heat wave days from July 14 to 21, 2006:

- Chicago opened 100 cooling centres including senior-citizen centres, district police stations, libraries and park facilities. The City operates a ‘311’ line with up-to-date and accurate information on heat resources and coordinates transportation to cooling centres. In addition, Chicago deploys air-conditioned buses to points around the city to pick up vulnerable people and transport them to cooling centres. The City’s plan also includes ‘reverse 911’ calls which are automated calls to seniors and disabled people known to be at risk;
- New York City opened special cooling centres including over 300 buildings for the public and sent officials on outreach to rescue the homeless and elderly;
- Boston extended hours of air conditioned sites in city community centres, and operates a Mayor’s 24 hour hotline, free access for seniors to a shuttle bus to and from cooling centres;

- the Philadelphia Corporation for Aging set up a telephone 'heat-line' with nurses available to answer questions. The Philadelphia Health Department also sent outreach workers to check on the homeless and elderly;
- Kansas City, Missouri - a non-profit organization helps to install air conditioners in the home of indigent elderly. In 2005 more than 600 new fans and 50 air conditioners were donated in a program co-ordinated by Channel 9 in partnership with a local hardware store and the Salvation Army;
- St. Louis, Missouri - Project Elder Cool helps provide and install air conditioners to those in need. The program also provides \$50.00 towards electricity bills for seniors or people with respiratory problems. The City opened 60 cooling centres. The City Health Director cautioned that the city's older housing, much of it made of red brick, heats up like a furnace and tenants should be cautious. After a power outage that left 300,000 homes and businesses without power, National Guard troops, police, firefighters and volunteers knocked on doors offering bottled water and cookies as they checked on elderly residents and provided transportation to cooling centres. With the added emergency of a power outage, the American Red Cross set up shelter for hundreds;
- Louisville, Kentucky - the City runs a fan and air conditioning program and provides free fans or air conditioners to those in immediate need. White flags also fly at Louisville's six homeless shelters - white flags are the signal that the air conditioning is on and there's a place to go to escape the heat. Meals on Wheels personnel were asked by the City to check on recipients to make sure they were not in distress;
- Omaha, Nebraska - the housing authority spent \$25,000.00 to install window air conditioners in apartments used by elderly and disabled residents; and
- Baltimore, Maryland has developed a two-pronged heat strategy which includes a code red heat alert plan and an energy assistance initiative. The City opened 11 cooling centres and employs a Maryland transit bus to places where people are at risk. The city ensures that fans, air conditioners and water are provided to those in need. The city has developed a data base of 56,000 seniors and shut-ins and ensures they are visited or checked on. Numerous city agencies co-ordinate their heat response with the Mayor's Office of Neighbourhoods. On July 20, one day after the Code Red was cancelled Mayor Martin O'Malley reminded residents to remain wary of the heat that still continued and urged people to call '311' if necessary;

NOW THEREFORE BE IT RESOLVED THAT the City develop measures to create energy assistance programs, such as Project Elder Cool, where fans and air conditioners can be provided to people who meet the medical criteria for need;

AND BE IT FURTHER RESOLVED THAT the City work with the Toronto Community Housing Corporation (TCHC) to do same as above;

AND BE IT FURTHER RESOLVED THAT the City immediately examine Toronto's Property Standards by-law that still dictates that in dwellings such as rooming houses, doors must remain shut and windows must be fixed with a safety device preventing the window from opening more than 100 millimetres."

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Board of Health.

Council also considered the following:

- Fiscal Impact Statement (July 26, 2006) from the Deputy City Manager and Chief Financial Officer.

I(7) Request for Report on the Transfer of Taxicab Licenses to Spouse upon Owner's Death

Moved by Councillor Stintz, seconded by Councillor Ootes

“WHEREAS Chapter 545-142 of the Toronto Municipal Code, Section B, entitled ‘Death of Owner’ states that ‘Upon the death of the owner of a cab, the owner’s licence issued in respect of such cab shall be terminated’; and

WHEREAS many taxi licence owners and their spouses use the ownership of the licence as a source of retirement income; and

WHEREAS the existing wording found in Chapter 545-142, Section B, prohibits spouses from automatically assuming the taxi licence after the death of the owner; and

WHEREAS several taxi licence owners and their spouses are on fixed incomes and require the income from the licence to maintain their standard of living;

NOW THEREFORE BE IT RESOLVED THAT the Executive Director, Municipal Licensing and Standards, prepare a report outlining the option of transferring the ownership of a taxi licence to the surviving spouse upon the death of the owner;

AND BE IT FURTHER RESOLVED THAT this report be prepared for the next bi-annual Planning and Transportation Committee meeting for taxi-related issues.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, received this Motion.

I(8) Request for Report on the Toronto Transit Commission (TTC) - City of Toronto Relationship Framework

Moved by Councillor Stintz, seconded by Councillor Ashton

“**WHEREAS** a relationship framework is a document that clearly sets out the relationships between the City and its agencies, boards and commissions; and

WHEREAS the purpose of this relationship framework is to articulate Council’s objectives and expectations to be met by the TTC; and

WHEREAS a relationship framework is needed for the TTC; and

WHEREAS this relationship framework will increase the accountability of the TTC and the City of Toronto; and

WHEREAS the relationship framework report should include the ability for City Councillors who are not Commission members, to attend Commission meetings and be privy to confidential items during ‘in camera’ sessions; and

WHEREAS the relationship framework should include the requirement for all items that have financial implications to be sent to the Policy and Finance Committee and City Council for approval; and

WHEREAS the Strategic and Corporate Policy Division in the City Manager’s Office has created a relationship framework for the Toronto Atmospheric Fund (TAF) which was adopted by City Council;

NOW THEREFORE BE IT RESOLVED THAT the Strategic and Corporate Policy Division in the City Manager’s Office develop a new relationship framework with the TTC;

AND BE IT FURTHER RESOLVED THAT the relationship framework include provisions such as access by all Councillors to in-camera meetings and Council oversight for items which have a financial impact;

AND BE IT FURTHER RESOLVED THAT the Strategic and Corporate Policy Division in the City Manager’s Office set the TTC relationship framework as a top priority;

AND BE IT FURTHER RESOLVED THAT this report be submitted to the Policy and Finance Committee and City Council for approval.”

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Executive Committee.

I(9) Toronto Hydro Purchases of Nuclear Power from the Ontario Power Generation Corporation

Moved by Councillor Saundercook, seconded by Councillor Mihevc

“**WHEREAS** the Corporation of the City of Toronto is the sole shareholder of Toronto Hydro, and Toronto Hydro is arguably one of the most important pieces of infrastructure in Toronto; and

WHEREAS the City of Toronto and Toronto Hydro purchase approximately \$2 billion worth of electricity each year; and

WHEREAS the City of Toronto uses enough electricity for its own purposes that it is the largest single consumer of electricity in Ontario; and

WHEREAS the Government of Ontario has committed to an open market for electricity; and

WHEREAS in an open economic market, consumers should have the right to choose what they buy and from whom; and

WHEREAS the long-term economic success of Ontario has been built primarily on Sir Adam Beck’s vision of low-cost, renewable electricity for all of Ontario; and

WHEREAS the Government of Ontario has decided to by-pass the environmental assessment process, and force the construction of additional nuclear power plants; and

WHEREAS past nuclear power plant projects have a track record of billion dollar cost overruns that are still being paid for by residents and businesses on our electricity bills;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto, as Toronto Hydro’s sole shareholder, express its formal discomfort to Toronto Hydro with continued purchases of nuclear power from Ontario Power Generation Corporation;

AND BE IT FURTHER RESOLVED THAT in the spirit of full disclosure and forthright assessment of costs and benefits, the City of Toronto, as sole shareholder of Toronto Hydro, formally request the management team of Toronto Hydro to co-ordinate, in four weeks, a briefing session for the Board of Directors of Toronto Hydro, Toronto City Councillors and all interested parties including the press and general public about:

- (i) the economic track record of nuclear power in Ontario;
- (ii) the financial history of the Ontario Government passing on cost overruns from the former Ontario Hydro to Ontario consumers through stranded debt charges;
- (iii) the potential financial impacts on Toronto consumers and the City of Toronto on electricity pricing in 2007 and beyond, including an impact on the City of Toronto's departmental budgets; and
- (iv) options to minimize financial risk to Toronto residents, businesses and the Corporation of the City of Toronto from future increases in the cost of electricity on Ontario;

AND BE IT FURTHER RESOLVED THAT the City of Toronto also formally request the management team of Toronto Hydro to work with the environmental community to co-ordinate a second briefing session, four weeks following the economic briefing session, to outline the environmental and public health risks associated with the mining and processing of uranium, as well as the transportation, management and storage of nuclear waste.”

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Executive Committee.

Councillor Cowbourne declared an interest in this Motion, in that her husband is employed by an independent electricity system operator which is directly responsible for the sale of hydro electricity in Ontario.

J(1) Access to Retail Facilities for Disabled Citizens
Moved by Councillor Moscoe, seconded by Councillor Augimeri

“**WHEREAS** some supermarkets and other retail establishments have established a system of buggy corrals to prevent shopping carts from leaving their property; and

WHEREAS, unfortunately, these systems exclude access by citizens in wheelchairs and scooters; and

WHEREAS buggy corrals significantly limit the mobility of people in wheelchairs and scooters and restrict their ability to purchase basic food items; and

WHEREAS alternative means are available for businesses to retain shopping carts without having to exclude the disabled;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be requested review the feasibility of establishing a by-law that would ensure access to retail facilities by citizens in wheelchairs and scooters;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to review the provisions of the City of Toronto Act to determine the City's authority to legislate in this area and report to the Planning and Growth Management Committee on this matter;

AND BE IT FURTHER RESOLVED THAT this Motion be referred to the Disability Issues Committee for a recommendation to Council, through the Planning and Growth Management Committee."

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(2) Ensuring Parents are Provided with Assistance in Properly Installing Child Safety Car Restraints

Moved by Councillor Moscoe, seconded by Councillor Augimeri

“**WHEREAS** every year over 10,000 children, 12 or under, are injured, some of them fatally, in traffic collisions; and

WHEREAS surveys show that as many as 80 percent of Canadian children are not properly restrained when travelling in motor vehicles; and

WHEREAS seatbelts are required by law for everyone, including infants and toddlers; and

WHEREAS all child restraint systems (infant and toddler seats) sold in Canada must meet Canadian Motor Vehicle Safety Standards set by Transport Canada; and

WHEREAS the installation of these seats, as a result of new safety standards, has become more complex and difficult; and

WHEREAS the improper installation of a child restraint seat is as much a safety hazard as an unsafe seat; and

WHEREAS assistance for parents is sporadic and unco-ordinated; and

WHEREAS in New York City, residents can go to their local fire hall for assistance in properly installing child safety restraint systems or to check if a car seat is properly installed; and

WHEREAS Toronto Fire Services has a long-standing tradition of promoting pro-active public safety;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto provide assistance in safely installing child car restraint systems and that it be done through local fire halls;

AND BE IT FURTHER RESOLVED THAT the Fire Chief incorporate, into all training and refresher training courses for Toronto firefighters, a program to teach them how to properly install infant and toddler car seats;

AND BE IT FURTHER RESOLVED THAT by the end of 2008, each fire hall have on duty at least one firefighter, so that residents can attend any fire hall and have someone available that can assist with the safe installation of a child car seat or who can check an installation to ensure that it has been properly done;

AND BE IT FURTHER RESOLVED THAT this matter be referred to the Fire Chief for a report to the Community Development and Recreation Committee.”

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Community Development and Recreation Committee.

J(3) The Kyoto Protocol - Implement Environmental Measures
Moved by Councillor Walker, seconded by Councillor Jenkins

“**WHEREAS** the United Nations Framework Convention on Climate Change was adopted at the United Nations in New York City on May 9, 1992 – 14 years ago; and

WHEREAS each Party (Nation) in ‘The United Nations Framework Convention on Climate Change’ agreed to reduce overall emissions of hydrofluorocarbons, perfluorocarbons and sulphur hexafluorides by at least five percent below the 1990 levels in the first commitment period 2008 to 2012, stating that each Party (Nation) agreed, by 2005, demonstrable progress in achieving these commitments will have been made; and

WHEREAS to date, demonstrable progress in achieving these commitments of the Kyoto Protocol has not been made; and

WHEREAS each Party (Nation)... in order to promote sustainable development, shall:

‘(a) Implement and/or farther elaborate policies and measures in accordance with its national circumstances, such as:

...(vi) Encouragement of appropriate reforms in relevant sectors aimed at promoting policies and measures which limit or reduce emissions of greenhouse gases...’

[Kyoto Protocol to The United Nations Framework Convention on Climate Change, December 1-10, 1997, Article 2(a)(vi)]; and

WHEREAS one hundred sixty four (164) nations have accepted the Kyoto Protocol; and

WHEREAS Canada signed the Kyoto Protocol on April 29, 1998, and ratified it December 17, 2002, nearly four years ago; and

WHEREAS Canada accounts for an estimated two percent of the world’s greenhouse gas emissions; and

WHEREAS Canada is flush with ‘carbon sinks’ that would lessen the burden of regulation on Canadian industry; and

WHEREAS the increased burning of fossil fuels and the resulting global warming are contrary to the goals that the Kyoto Protocol is trying to reach; and

WHEREAS dozens of energy projects, big and small, would be affected if Canada tries to reduce its emissions; and

WHEREAS the federal government is heavily lobbied by associations, such as the Canadian Automobile Association (CAA), and corporations, such as oil companies, to stall Canada’s implementation of the Kyoto Protocol; and

WHEREAS the federal government is attempting to back out of its participation in the Kyoto Protocol; and

WHEREAS the Canadian oil industry, before the oil is burned, contaminates tens of billions of litres of fresh water per year to extract oil – some companies are permitted to use a million litres per day for this purpose; and

WHEREAS reliance on fossil fuels has been proven to be unsustainable and detrimental, though the Ontario provincial government continues to operate four (4) coal-fired power plants, namely Nanticoke on the north shore of Lake Erie, Lambton (near Sarnia) and Atikokan and Thunder Bay in northwestern Ontario; and

WHEREAS Nanticoke, a provincial power plant, remains the single largest source of air pollution in the province; and

WHEREAS the population of the Greater Toronto Area (GTA), over five (5) million people, is suffering from the provincial government's lack of leadership on environmental issues; and

WHEREAS combined, these four (4) Ontario Power Generation (OPG) coal-fired power plants produce 7,770 megawatts of electricity (21 percent-24 percent of OPG's output), and there are clean alternatives, as well as conservation, to replace this capacity; and

WHEREAS governments effectively subsidize corporations who produce harmful emissions by often cleaning up their toxic mess; and

WHEREAS there are several areas of real environmental concern within the boundaries of Toronto, such as smog and heat alert days, the Portlands, Toronto's beaches, et cetera; and

WHEREAS the Canadian prairies have endured many arid growing seasons and now farmers are routinely being driven out of business because of the change in climate; and

WHEREAS sections as large as 500 billion tons of ice have broken off arctic ice shelves, which has incrementally raised the levels of the world's oceans; and

WHEREAS in action, like the phrase 'Think Globally, Act Locally', the local municipal governments will be most effective and efficient in implementing the incremental programs and regulations needed for this mandated change; and

WHEREAS, as stated in the Globe and Mail on Wednesday, August 28, 2002, 'Climate decay harms the vulnerable first. They live at the margins: the first to smell fumes, the last to escape the scorching heat..... To ratify Kyoto is to stand with farmers facing drought in Africa, and families cramped in stuffy apartments in Toronto.'; and

WHEREAS the 'Montreal Protocol on Substances that Deplete the Ozone Layer' was adopted on September 16, 1987 --- almost 20 years ago; and

WHEREAS the Organization For Economic Development and Co-Operation (OECD) states that Canada produces 334.9 kg of Carbon Monoxide per capita – Canada's emissions per capita are almost two and a half times the OECD average; and

WHEREAS, as stated in the Toronto Star on Saturday, August 19, 2006, 'Atmospheric concentration of CO2 stands at 381 ppm, and it is increasing at 2 ppm a year. I've been arguing that we need to hold the concentration below 475 ppm, and if we can do that, we can keep the global temperature increase to no more than 1C. To do it, we need to cap global CO2 emissions within the next 10 years, and then reduce them by 60 to 80 per cent by 2050.'; and

WHEREAS implementation of the Kyoto Protocol can be designed to ensure that no industry or sector suffers disproportionately; and

WHEREAS implementation of the Kyoto Protocol can be designed to foster many new industries and employment sectors;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council, representing the largest City in Canada:

- (1) aggressively request the federal government to expeditiously implement the Kyoto Protocol;
- (2) aid the federal and provincial governments to increase public awareness regarding environmental concerns relating to industrial regulation and the implementation of the Kyoto Protocol;
- (3) in line with the initiatives of the Kyoto Protocol, actively offer possible suggestions for implementation to the federal government, such as providing incentives for renewable energy production by individuals, homeowners and owners of multi-residential dwellings;
- (4) actively lobby all other levels of government to actively attempt to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent anthropogenic interference with the climate system;

- (5) actively lobby the provincial government to fast-track its closure of the four (4) coal power plants.”

Disposition:

This Motion was ruled out of order at City Council on September 25, 26 and 27, 2006.

Council also considered the following:

Communication:

- (September 22, 2006) from Tony O’Donohue, P. Eng. [Communication 33(a)].

Councillor Cowbourne declared an interest in this Motion, in that her husband is employed by an independent electricity system operator which is directly responsible for the sale of hydro electricity in Ontario.

J(4) Hydro Electric Services in Various Neighbourhoods Throughout Scarborough

Moved by Councillor Fletcher, seconded by Councillor Barron

“**WHEREAS** there are recognized ongoing problems with the quality and consistency of the delivery of hydro electric services in various neighbourhoods throughout Scarborough; and

WHEREAS all Toronto citizens should have the right to uninterrupted electrical services; and

WHEREAS constant service of quality hydro electric services are a contributing factor to the safety and security of young people, seniors, the disabled and others; and

WHEREAS these concerns have often been brought to the Works Committee; and

WHEREAS commercial and industrial development and economic growth are dependent upon uninterrupted hydro electrical services; and

WHEREAS the economic development of Scarborough is of high priority to the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the Chair or Vice Chair of the Works Committee or designate, convene a meeting with Toronto Hydro, the General Manager, Transportation Services, the Chair, Scarborough Community Council and the local Councillor(s) to discuss hydro outages in certain parts of Scarborough and report to the Executive Committee detailing the problem of hydro outages in Scarborough, the reasons behind these outages and the plan of work to overcome this, including the estimated required funds from Hydro and the City's Transportation budget;

AND BE IT FURTHER RESOLVED THAT all previous correspondence from the local Councillor(s) outlining the extent of the problem be made available to the participants at this meeting."

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

J(5) Proposed Designation of the Albion Islington Business Improvement Area - Poll Results - (Ward 1 – Etobicoke North)

Moved by Councillor Hall, seconded by Councillor Lindsay Luby

"WHEREAS City Council at its meeting of June 27, 28 and 29, 2006, by the adoption of Motion J(2), authorized the City Clerk to carry out the formal polling to create the Albion Islington Business Improvement Area, required under the *Municipal Act 2001*, and authorized the General Manager of Economic Development, Culture and Tourism to report directly on the poll results to the September 25, 2006 Council meeting; and

WHEREAS, based upon the results of the poll, Council may pass a by-law to designate the commercial area along Albion Road, from Lund Avenue to west of John Grubb Court and Islington Avenue, north of Sandhill Drive and south of Wardlaw Crescent, as an improvement area;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 8, 2006) from the General Manager of Economic Development, Culture and Tourism, and that Council adopt the staff recommendations contained in the Recommendations Section of the report."

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(5), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 8, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA in the Albion and Islington area, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the Municipal Act, 2001;*
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and*
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

Council also considered the following:

- Report (September 8, 2006) from the General Manager, Economic Development, Culture and Tourism.

J(6) Proposed Designation of Old Queen Street Business Improvement Area - Poll Results (Wards 27 and 28 - Toronto Centre-Rosedale)

Moved by Councillor McConnell, seconded by Councillor Rae

“WHEREAS City Council at its meeting of June 27, 28 and 29, 2006, by the adoption of Motion J(17), authorized the City Clerk to carry out the formal polling to create the Old Queen Street Business Improvement Area required under the *Municipal Act 2001*, and authorized the General Manager of Economic Development, Culture and Tourism to report directly on the poll results to the September 25, 2006 Council meeting; and

WHEREAS the City received only 37 objections out of a possible 229 property owners and tenants entitled to vote on the proposed BIA; and

WHEREAS based upon the results of the poll, Council may pass a by-law to designate the area along Queen Street East, between Victoria Street and River Street, as an improvement area;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 7, 2006) from the General Manager of Economic Development, Culture and Tourism, and that Council adopt the staff recommendations contained in the Recommendations Section of the report.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(6), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 7, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA on Queen Street East, between Victoria Street and River Street, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the Municipal Act, 2001;***
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and***
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”***

Council also considered the following:

- Report (September 7, 2006) from the General Manager, Economic Development, Culture and Tourism.

J(7) Proposed Designation of the Dundas West Business Improvement Area - Poll Results (Wards 18 – Davenport)

Moved by Councillor Giambrone, seconded by Councillor Fletcher

“WHEREAS City Council at its meeting of June 27, 28 and 29, 2006, adopted Economic Development and Parks Committee Report 4, Clause 6, headed ‘Intention to Designate the Dundas West Business Improvement Area (BIA), Ward 18 – Davenport’, which directed the City Clerk to carry out a formal poll, as required by the *Municipal Act 2001*, to determine if Dundas West can be designated as a Business Improvement Area; and

WHEREAS the report authorized the General Manager of Economic Development, Culture and Tourism to report on the poll results directly to the September 25, 2006 meeting of City Council; and

WHEREAS based upon the results of the poll, Council may pass a by-law to designate the area known as Dundas West as a Business Improvement Area;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 13, 2006) from the General Manager of Economic Development, Culture and Tourism, and that Council adopt the staff recommendations contained in the Recommendations Section of the report.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(7), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 13, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) based upon the results of the poll respecting the intention to designate a BIA on Dundas Street West, between Lansdowne Avenue and Rusholme Road, Council pass a by-law to designate the area described by Attachment No. 1, as a Business Improvement Area, under Section 204 of the Municipal Act, 2001;***
- (2) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and***
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”***

Council also considered the following:

- Report (September 13, 2006) from the General Manager, Economic Development, Culture and Tourism.

J(8) Proposed Expansion of the Little Italy Business Improvement Area - Poll Results (Ward 19 - Trinity-Spadina)

Moved by Deputy Mayor Pantalone, seconded by Councillor Giambrone

“**WHEREAS** City Council at its meeting of June 27, 28 and 29, 2006, by the adoption of Motion J(33), authorized the City Clerk to carry out the formal polling to expand the Little Italy Business Improvement Area (BIA) required under the *Municipal Act 2001*, and authorized the General Manager of Economic Development, Culture and Tourism to report directly on the poll results to the September 25, 2006 meeting of City Council; and

WHEREAS based upon the results of the poll, Council may pass a by-law to expand the Little Italy BIA eastward from Euclid Avenue to Bathurst Street;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 13, 2006) from the General Manager of Economic Development, Culture and Tourism, and that Council adopt the staff recommendations contained in the Recommendations Section of the report”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(8), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 13, 2006) from the General Manager, Economic Development, Culture and Tourism:

“It is recommended that:

- (1) based upon the results of the poll respecting the intention to expand the Little Italy BIA, Council pass a by-law to designate the area described by Attachment No. 1, as an expanded Business Improvement Area, under Section 204 of the Municipal Act, 2001;***
- (2) leave be granted for the introduction of the necessary bill in Council to give effect thereto; and***
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.***

Council also considered the following:

- Report (September 13, 2006) from the General Manager, Economic Development, Culture and Tourism.

J(9) Emergency Response Plan for the Waterfront in the Vicinity of Ward 20 - Trinity-Spadina

Moved by Councillor Silva, seconded by Councillor Giambrone

“**WHEREAS** Harbourfront is fast becoming a destination of choice for thousands of Torontonians and visitors; and

WHEREAS there are proposed improvements to and construction of new facilities and parks in the area; and

WHEREAS the City’s emergency response plan should reflect these changes and ensure that public safety is not being compromised;

NOW THEREFORE BE IT RESOLVED THAT the General Manager of Emergency Medical Services report to the January 2007 meeting of Council on the emergency response plan for the Waterfront neighbourhood in the vicinity of Ward 20, Trinity-Spadina.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(10) Issuance of Debentures

Moved by Mayor Miller, seconded by Councillor Soknacki

“**WHEREAS** at its meeting held on February 2, 2006, City Council adopted By-law No. 83-2006, being a by-law to authorize agreements respecting the issue and sale of debentures; and

WHEREAS, pursuant to By-law No. 83-2006, the Mayor and the Deputy City Manager and Chief Financial Officer, acting in his capacity as treasurer appointed under the *Municipal Act, 2001* (the ‘Treasurer’), are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year for the sale and issue of debentures upon such terms and conditions, including price or prices as they deem expedient, to provide an amount not exceeding \$550,000,000.00 for the purposes of the City of Toronto, including the purposes of the former Municipality of Metropolitan Toronto; and

WHEREAS, this debenture issue, in addition to \$300 million debentures previously issued in July 2006, is within the \$550 million limit as approved by Council; and

WHEREAS the Mayor and Treasurer have entered into an agreement dated September 14, 2006, for the issue and sale of debentures and the Treasurer is required to report the terms of the agreement to Council not later than the second regular Council meeting following the entering into of such agreement; and

WHEREAS the *City of Toronto Act, 1997 (No. 2)*, subsection 102(6), requires Council to pass all necessary money by-laws, in accordance with the said agreement and applicable legislation;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 21, 2006) from the Deputy City Manager and Chief Financial Officer, regarding the issuance of debentures; and that the staff recommendations contained in the Recommendations Section of the report be adopted;

AND BE IT FURTHER RESOLVED THAT leave be granted to introduce the necessary Bills in Council to give effect to the issuance of debentures.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(10), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 21, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on September 25, 2006, to give effect to the issuance of debentures as described in this report; and*
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.*

Council also considered the following:

- Report (September 21, 2006) from the Deputy City Manager and Chief Financial Officer.

J(11) Truck Billboard Advertising

Moved by Councillor Mihevc, seconded by Councillor Rae

“**WHEREAS** the Medical Officer of Health has deemed smog to be a significant health problem that kills over 1,500 Torontonians annually, and determined that emissions from road vehicles is a significant contributor to smog; and

WHEREAS traffic congestion has a significant negative impact on the City’s economy, due to decreased productivity and increased commuting times; and

WHEREAS an increase in unregulated advertising in public spaces has a detrimental impact on the character and appearance of the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT City Council request the City Solicitor to develop a By-law banning the operation of vehicles used for the sole purpose of advertising, modelled after similar By-laws in Vancouver and Montreal;

AND BE IT FURTHER RESOLVED THAT a draft By-law, with a supporting staff report, be forwarded to Council for consideration in the Winter of 2007, through the Licensing and Standards Committee.”

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Licensing and Standards Committee.

J(12) Sir Winston Churchill Park – Playground Improvement Project

Moved by Councillor Walker, seconded by Councillor Jenkins

“**WHEREAS** City Council at its meeting on June 14, 15 and 16, 2005, approved Toronto and East York Community Council Report 5, Clause 5, headed ‘Final Report – Rezoning Application - 50 Rosehill Avenue (St. Paul’s – Ward 22)’; and

WHEREAS staff Recommendation (4) contained in the Recommendations Section of the report (April 13, 2005) from the Director, Community Planning, South District, required the developer to provide a cash contribution of \$280,000.00 to the City for improved community services and facilities within the local area; and

WHEREAS 50 Rosehill Avenue Inc. agreed, through a registered Section 37 Agreement, to the contribution of \$280,000.00 for the construction or improvement of community services and facilities, of which \$140,000.00 has been received and deposited by the City as an initial payment; and

WHEREAS the estimated cost to provide improvements to the playground at Sir Winston Churchill Park is \$60,000.00; and

WHEREAS it has been determined, in consultation with the City Planning Division and the Parks, Forestry and Recreation Division, that contributing \$60,000.00 of the Section 37 funds for public benefits towards the improvement of the playground at Sir Winston Churchill Park is a desirable and appropriate use of the funds;

NOW THEREFORE BE IT RESOLVED THAT the 2006 Parks, Forestry and Recreation Council Approved Capital Budget, Playgrounds/Waterplay Project, be increased by \$60,000.00 (gross), \$0 (net), for a new sub-project known as Sir Winston Churchill Playground, with cash flow in 2007, funded from Section 37 funds received from the development agreement with 50 Rosehill Avenue Inc., and funding for this new sub-project be transferred from the Planning Deferred Revenue Account where it is being currently held to the Parks, Forestry and Recreation Division.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

Council also considered the following:

- Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(13) Downtown Yonge Street Business Improvement Area (BIA) - Proposed Identifying Signs Within the BIA

Moved by Councillor Rae, seconded by Councillor McConnell

“**WHEREAS** the City has an existing moratorium on new street signs, pending the staff review and public consultation on proposed new street signs; and

WHEREAS the Downtown Yonge Street Business Improvement Area (BIA) is now ready to install identifying street signs within the BIA; and

WHEREAS the Downtown Yonge BIA is prepared to assume all costs and liabilities related to their new signs; and

WHEREAS the Downtown Yonge BIA has been working with the Transportation Division, since 2004, on this initiative, without a successful resolution;

NOW THEREFORE BE IT RESOLVED THAT City Council approve the request from the Downtown Yonge Street BIA to install identifying street signs within the BIA;

AND BE IT FURTHER RESOLVED THAT the signs be manufactured, installed and maintained at the BIA's expense to the satisfaction of the General Manager of Transportation Services;

AND BE IT FURTHER RESOLVED THAT the BIA obtain all required permits and pay all applicable fees/financial securities prior to the installation of the signs;

AND BE IT FURTHER RESOLVED THAT the BIA enter into an Encroachment Agreement with the municipality prior to installing the signs proposed within the City of Toronto road allowance, such agreement to be provided to the satisfaction of the Director, Transportation Services, Toronto and East York District, and the City Solicitor;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(14) Request for Report on Feasibility of Donating a Surplus School Bus to the Abundant Life Assembly

Moved by Councillor Hall, seconded by Councillor Ford

“**WHEREAS** the Abundant Life Assembly dates back to 1945, when it was started as the ‘Weston Pentecostal Church’, and today is run by Pastor Al Bowen; and

WHEREAS the Abundant Life Assembly serves approximately 1,000 people mainly in Toronto, west of Yonge Street; and

WHEREAS their main activities are a daily church program, programming for children, youth (employment and basketball) and seniors, along with providing extensive support to youth and adults in Jamestown and other high needs areas in Wards 1 and 2, through organizing community events to bring communities together; and

WHEREAS Pastor Bowen takes an active membership role in assisting local community groups that provide service in Etobicoke North; and

WHEREAS, in order to enhance their programming for at-risk communities, they need a school bus to transport children and seniors to program locations; and

WHEREAS they have four volunteer, fully licensed mechanics;

NOW THEREFORE BE IT RESOLVED THAT Council request the Chief Corporate Officer to review the feasibility of making a donation of a surplus 36-passenger school bus to the Abundant Life Assembly and report to the General Government Committee.”

Disposition:

This Motion was ruled redundant at City Council on September 25, 26 and 27, 2006.

J(15) Permit for Temporary Installation of Bleachers to View Santa Claus Parade
Moved by Councillor Rae, seconded by Councillor Silva

“**WHEREAS** current by-laws regulating the use of the public right-of-way do not specifically allow for the General Manager of Transportation Services to issue a permit for the temporary installation of tiered seating (bleachers) for private use on the public right-of-way to view parades; and

WHEREAS the Sick Kids Hospital Foundation has requested temporary bleachers on the City boulevard fronting the Hospital for Sick Children, at 525 University Avenue, for viewing the Santa Claus Parade to be held on Sunday, November 19, 2006;

NOW THEREFORE BE IT RESOLVED THAT subject to the applicant meeting the conditions of the General Manager of Transportation Services, a permit be issued for the temporary installation of bleachers on the public rights-of-way fronting the Hospital for Sick Children at 525 University Avenue for private viewing of the Santa Claus parade to be held on Sunday, November 19, 2006.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(16) Grant to a Tenant Subject to an Eviction Application as a Result of a Window Air Conditioning Unit at 640 Sheppard Avenue East (Ward 24 – Willowdale)

Moved by Councillor Shiner, seconded by Councillor Walker

“**WHEREAS** City Council established a Tenant Defence Fund to assist tenants of Toronto in disputing above guideline rent increases (AGIs), participating in Ontario Municipal Board Appeals affecting condominium conversion and demolition applications, and making appeals to the Divisional Court on orders issued by the Ontario Rental Housing Tribunal (the Tribunal) with respect to AGI applications in defence of tenants’ interests; and

WHEREAS the Landlord of the Bayview Place rental complex at 640, 642 and 644 Sheppard Avenue East has begun to install new windows in the complex since last spring, and filed an application for AGIs to the Tribunal; and

WHEREAS the tenants were advised that they could not re-install their existing window air conditioners in the new windows and instead, would be required to purchase portable air conditioning units from the property management, or elsewhere; and

WHEREAS the tenants claim that the portable air conditioners are more expensive, noisier and less effective than the apartment-sized window air conditioners; and several tenants, therefore, decided to re-install their own window air conditioners; and

WHEREAS the Landlord applied to the Tribunal for an order to evict one of these tenants, claiming among other matters, that the re-installation of the window air conditioner by the tenant will, among other things, cause damage to the new windows; and

WHEREAS the tenant subject to the eviction application has lived at 640 Sheppard Avenue East for about 15 years and is being assisted by the Willowdale Community Legal Services (WCLS) for representation before the Tribunal; and

WHEREAS at the Tribunal hearing on September 18, 2006, the Landlord’s lawyer brought an Engineer as an expert witness; and

WHEREAS the Tribunal postponed the Hearing until October 26, 2006, in order to give the WCLS Lawyer, who was representing the tenant, an opportunity to respond; and

WHEREAS the WCLS Lawyer decided that an Engineer would be required to act as expert witness for the tenant; and

WHEREAS the WCLS does not have sufficient funds to pay for the service, and the tenant is seeking assistance from the City; and

WHEREAS this eviction application represents a test case for similar disputes, as the Landlord owns a number of buildings in the City, and a similar dispute about air conditioners has begun at another building; and

WHEREAS the funding request is outside the mandate of the Tenant Support Grants Program and City Council has recently approved a special grant, in a situation where there were tenant applications concerning disputes with the Landlord at 1765 and 1775 Weston Road, with the assistance of a legal clinic (York Community Services), on the condition that the grant be used to cover the costs of services considered to be important and relevant to the legal proceedings by the legal clinic, but could not be paid for by the clinic; and

WHEREAS there are sufficient funds in the 2006 Tenant Support Grants Program; and

WHEREAS Section 107 of the *Municipal Act, 2001*, provides that the Council of every municipality may, subject to Section 106 of the *Municipal Act, 2001*, make grants, on such terms and conditions as to security, and otherwise, as the Council may consider expedient, to any person, institution, association, group or body of any kind, or any purpose that, in the opinion of the Council, is in the interests of the municipality;

NOW THEREFORE BE IT RESOLVED THAT City Council approve a grant, of up to \$5,000.00, from the 2006 Tenant Support Grant Program, for assisting the tenant at 640 Sheppard Avenue East in the dispute about the eviction application, and that the General Manager, Shelter, Support and Housing Administration, be authorized to pay directly to any expert witnesses retained by Willowdale Community Legal Services, for professional services and related disbursements.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(17) Application for Condominium Conversion - 1901 Bayview Avenue (Ward 26 – Don Valley West)

Moved by Councillor Pitfield, seconded by Councillor Jenkins

“**WHEREAS** the shareholders of an existing equity co-operative, consisting of 36 units and located at 1901 Bayview Avenue, on the east side Bayview Avenue north of Eglinton Avenue, have applied for conversion to condominium and for draft plan of condominium approval; and

WHEREAS the attached report (August 31, 2006) from the Director of Community Planning, North York District, entitled ‘Final Report – Application for Draft Plan of Condominium and to modify the new Official Plan; File No. 06 106481 NNY 26 CD and 06 106496 OZ; Applicant: Mainline Planning Services; Architect: N/A; 1901 Bayview Avenue (Ward 26 – Don Valley West)’, was on the agenda for the September 19, 2006 North York Community Council meeting, which was not held;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached report (August 31, 2006) from the Director of Community Planning, North York District, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(17), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (August 31, 2006) from the Director of Community Planning, North York District:

“It is recommended that City Council:

- (1) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 3;*
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan modification as may be required;*
- (3) authorize Draft Approval of the Plan of Condominium for 1901 Bayview Avenue, date stamped as received on February 1, 2006, and that the Chief Planner is authorized to permit any red line revisions as deemed appropriate; and*
- (4) require the owner to fulfill conditions of Draft Approval of the Plan of Condominium, including the execution and satisfactory registration of any condominium agreements deemed necessary by the City Solicitor, prior to the City’s consent for final registration and authorize the City Solicitor to prepare any necessary condominium agreement to secure the conditions, as the City Solicitor deems necessary as contained in Attachment No. 4.”*

Council also considered the following:

- Report (August 31, 2006) from the Director of Community Planning, North York District.

**J(18) Preliminary Report - OPA and Rezoning Application 06 163756 NNY 23 OZ
Applicant: Stephen F. Waque, Borden Ladner Gervais LLP,
Architect: Kirkor Architects & Planners, 4759-4789 Yonge Street (Ward 23 -
Willowdale)**

Moved by Councillor Fillion, seconded by Councillor Moscoe

“**WHEREAS** the Preliminary Report on OPA and Rezoning Application 06 163756 NNY 23 OZ, 4759-4789 Yonge Street, was not able to be considered by North York Community Council at its scheduled meeting on September 19, 2006, due to the unanticipated cancellation of that meeting the preceding day; and

WHEREAS no further meetings of North York Community Council are scheduled this year; and

WHEREAS it is desirable that processing of this development application proceed without undue delay;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the staff recommendations contained in the Recommendations Section of the attached Preliminary Report (August 29, 2006) from the Director, Community Planning, North York District;

AND BE IT FURTHER RESOLVED THAT, prior to the scheduling of a community consultation meeting, Planning staff, in consultation with the City Solicitor, be directed to report to the North York Community Council on:

- (1) the applicability of current and past versions of the North York Centre Secondary Plan to the proposed development in relation to its outstanding appeals; and
- (2) the exact Official Plan Amendments, and modifications to the City’s new Official Plan, that would be entailed by approval of the development in its presently proposed form.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(18), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (August 29, 2006) from the Director, Community Planning, North York District:

“It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;*
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and*
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.”*

Council also considered the following:

- Report (August 29, 2006) from the Director, Community Planning, North York District.

J(19) Preliminary Report - OPA Application 05 210406 NNY 23 OZ, Applicant: Menkes Gibson Square Inc., 5170 Yonge Street (Ward 23 - Willowdale)

Moved by Councillor Filion, seconded by Councillor Moscoe

“WHEREAS the Preliminary Report on OPA Application 05 210406 NNY 23 OZ, 5170 Yonge Street, was not able to be considered by North York Community Council at its scheduled meeting on September 19, 2006, due to the unanticipated cancellation of that meeting the preceding day; and

WHEREAS no further meetings of North York Community Council are scheduled until next year; and

WHEREAS it is desirable that processing of this development application proceed without undue delay;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the staff recommendations contained in the attached preliminary report (September 6, 2006) from the Director, Community Planning, North York District.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(19), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 6, 2006) from the Director, Community Planning, North York District:

“It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;*
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and*
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.”*

Council also considered the following:

- Report (September 6, 2006) from the Director, Community Planning, North York District.

J(20) Northern Secondary School “Field of Dreams” Project – Section 37 Donation
Moved by Councillor Walker, seconded by Councillor Stintz

“WHEREAS the Northern Secondary School (851 Mount Pleasant Road) ‘Field of Dreams’ Project consists of installing artificial turf on the football field with a plastic bubble enclosure covering a third of the said field during the off-season; and

WHEREAS this project is an initiative to allow public access to the school’s playing field and to improve the playing field’s usability; and

WHEREAS the completion of this project will constitute a considerable benefit to the surrounding neighbourhood and community; and

WHEREAS fundraising for this initiative is conducted via a non-profit charity; and

WHEREAS this project is endorsed by the City’s Planning Division as a community facilities improvement and qualifies as such under Section 37 of the *Planning Act*, as confirmed in the attached report (September 22, 2006) from the Chief Planner and Executive Director, City Planning;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 22, 2006) from the Chief Planner and Executive Director, City Planning, and that the staff recommendations contained in the Recommendations Section of the report be adopted;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be directed to give effect to the foregoing.”

Disposition:

City Council on September 25, 26 and 27, 2006, amended this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the two Ward Councillors, in consultation with the Toronto District School Board Trustee, hold a public meeting, in order to consult with area residents regarding the ‘Field of Dreams’ proposal.”

This Motion, as amended, was adopted by City Council.

In adopting Motion J(20), as amended, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 22, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

- (1) the 2006 City Planning Operating Budget Account South District Community Planning – UR0001 be amended by increasing it by \$130,000.00 (gross) \$0 (net);*
- (2) funds in the amount of \$130,000.00 be transferred to above-noted account from Deferred Revenue Account #220096;*
- (3) the City enter into a third party grant agreement with the Northern Secondary School Foundation for \$130,000.00 for use towards the ‘Field of Dreams’ project, in accordance with the terms and conditions set out in Appendix A of this report; and*
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

Council also considered the following:

- Report (September 22, 2006) from the Chief Planner and Executive Director, City Planning.

- Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(21) Liquor Licence Application - Metro Bar - 296 Richmond Street West

Moved by Councillor Silva, seconded by Councillor Giambrone

“**WHEREAS** Metro Bar Inc. is the owner of, and the licence holder of, a liquor licence for an entertainment facility located at 296 Richmond Street West, in the City of Toronto, and operating as Metro Bar; and

WHEREAS by decision [2006] O.A.G.C.D. No. 167 dated March 24, 2006, the Board of the Alcohol and Gaming Commission of Ontario (‘AGCO’) revoked the liquor licence of Metro Bar because the past or present conduct of the persons involved with Metro Bar afforded reasonable grounds for the belief that they would not carry on business in accordance with the law and with integrity and honesty; and

WHEREAS Metro Bar Inc. applied to the Court for a stay of the Board’s order, until a full appeal of the decision could be heard; and

WHEREAS the Court granted a stay of the Board’s order to revoke the liquor licence until August 1, 2006, which has since been extended to October 31, 2006; and

WHEREAS Metro Bar Inc. is in the process of selling Metro Bar and the prospective purchasers have applied for a liquor licence for Metro Bar; and

WHEREAS it is not known, at this time, whether any of the prospective purchasers are associated with the existing Metro Bar; and

WHEREAS residents are concerned that the total licensed capacity for establishments selling liquor in the area is excessive; and

WHEREAS municipal resources, such as the Toronto Police Service, Emergency Medical Services and Municipal By-law Enforcement, are being strained because of the sheer number of licensed facilities in this area; and

WHEREAS, given the public safety and nuisance concerns raised by residents and the Toronto Police Service, the issuance of a liquor licence for Metro Bar is not in the public interest;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council direct the City Clerk to advise the Registrar of the AGCO that the issuance of a liquor licence for Metro Bar, 296 Richmond Street West, is not in the public interest, having regard to the needs and wishes of the residents, and that the Registrar should issue a proposal to review the liquor licence application;
- (2) the AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to Metro Bar, 296 Richmond Street West, to oppose the issuance of a new liquor licence; and
- (3) the City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions to give effect to this Resolution.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

J(22) Liquor Licence Application - Circa - 126 John Street

Moved by Councillor Silva, seconded by Councillor Giambrone

“**WHEREAS** an application for a liquor licence has been made for the premises known as 126 John Street (the ‘Premises’) and to be called ‘Circa’; and

WHEREAS residents are concerned that the total licensed capacity for establishments selling liquor in the area is excessive; and

WHEREAS municipal resources, such as the Toronto Police Service, Emergency Medical Services and Municipal By-law Enforcement, are being strained because of the sheer number of licensed facilities in this area; and

WHEREAS, given the public safety and nuisance concerns raised by residents and the Toronto Police Service, the issuance of a liquor licence for 126 John Street is not in the public interest;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (‘AGCO’) that the issuance of a liquor licence for Circa, 126 John Street, is not in the public interest, having regard to the needs and wishes of the residents, and that the Registrar should issue a proposal to review the liquor licence application;

- (2) the AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to Circa, 126 John Street, to oppose the issuance of a liquor licence; and
- (3) the City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions to give effect to this Resolution.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, amended this Motion by deleting Part (1) contained in the Operative Paragraph and inserting instead the following new Part (1):

- “(1) City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (‘AGCO’) that the issuance of a liquor licence for Circa, 126 John Street, should be subject to review at the end of one year, and renewal conditional on all by-laws being adhered to;”,***

so the Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT:

- “(1) City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (‘AGCO’) that the issuance of a liquor licence for Circa, 126 John Street, should be subject to review at the end of one year, and renewal conditional on all by-laws being adhered to;***
- (2) the AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to Circa, 126 John Street, to oppose the issuance of a liquor licence; and***
- (3) the City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions to give effect to this Resolution.”***

This Motion, as amended, was adopted by City Council.

J(23) Ontario Municipal Board Hearing - 10 Foxbar Road (Ward 22 - St. Paul's)
Moved by Councillor Walker, seconded by Councillor Jenkins

“**WHEREAS** the owner of the property municipally known as 10 Foxbar Road applied to the Committee of Adjustment for minor variances to By-law No. 438-86, as amended, to permit the construction of two semi-detached dwellings; and

WHEREAS the City’s Planning Division formally opposed this application for variances; and

WHEREAS in a decision dated November 17, 2005, the Committee of Adjustment approved the minor variances; and

WHEREAS the Committee of Adjustment’s decision has been appealed by neighbourhood residents to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board will soon be considering an appeal with respect to this decision by the Committee of Adjustment;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council direct the City Solicitor, appropriate staff and/or expert witnesses, to appear at the Ontario Municipal Board to support the Planning Division’s recommendations to refuse the requested variances.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

Council also considered the following:

- Notice of Decision, Minor Variance/Permission (November 17, 2005) from the Acting Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel;
- Notice of Decision, Consent (November 17, 2005) from the Acting Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel;
- report (November 14, 2005) from the Director, Community Planning, Toronto and East York District, addressed to the Chairman and Members of the Committee of Adjustment, Toronto and East York Panel; and
- (November 16, 2005) from Councillor Michael Walker, Ward 22, St. Paul’s, addressed to the Committee of Adjustment, Toronto and East York Panel.

J(24) Adjustment to Playground Capital Account CPR 117-34-29 - Wellesley Park
Moved by Councillor McConnell, seconded by Councillor Lindsay Luby

“WHEREAS Terry Michelin passed away on April 26, 2005, in his 78th year, and was a highly valued and deeply loved member of the Cabbagetown neighbourhood for 35 years; and

WHEREAS Terry Michelin was a dedicated and hard-working business owner and a long standing member of the Old Cabbagetown Business Improvement Area who was actively involved in all community fundraisers and events; and

WHEREAS Terry Michelin, after losing his son to an act of violence in 1992, set up the Santo Michelin Fund, through the Cabbagetown Youth Centre, to provide sports scholarships for local youth through an annual fundraising event; and

WHEREAS members of the Cabbagetown community have come together to form the Terry Michelin Memorial Fund, in order to fund a commemorative piece in Terry’s memory; and

WHEREAS the Terry Michelin Memorial Fund has been working with Parks, Forestry and Recreation staff to include this commemorative piece in the Wellesley Park Playground reconstruction slated for this fall;

NOW THEREFORE BE IT RESOLVED THAT the Parks, Forestry and Recreation Capital Budget be amended to include an additional net zero change in the scope of work for the implementation and construction of additional playground components in Wellesley Park, funded by the Terry Michelin Memorial Fund;

AND BE IT FURTHER RESOLVED THAT the Parks, Forestry and Recreation Capital Plan be adjusted to include the implementation and construction of an ornamental gate at the entrance to the playground in commemoration to Terry Michelin, in Wellesley Park, to be completed before December 2006;

AND BE IT FURTHER RESOLVED THAT the funding from the community be directed to the Wellesley Park – Playground Capital Account CPR 117-34-29.”

Disposition:

City Council on September 25, 26 and 27, 2006, amended this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Parks, Forestry and Recreation Capital Plan be adjusted up to \$4,800.00 gross, ‘0’ net, to be funded by a community contribution through the Terry Michelin

Memorial Fund, to include the implementation and construction of an ornamental gate at the entrance to the playground in commemoration of Terry Michelin, in Wellesley Park, to be completed before December 2006.”

This Motion, as amended, was adopted by City Council.

Council also considered the following:

- Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(25) 225 Wellesley Street East and 550 Ontario Street - Request for Report on the Retention of an Entrance Ramp to the Hugh Garner Co-op
Moved by Councillor McConnell, seconded by Councillor Rae

“**WHEREAS** By-law No. 740-2004 amended the General Zoning By-law No. 438-86 and By-law No. 20623 and the Site Specific By-law No. 657-76, all as amended, of the former City of Toronto with respect to lands known as Winchester Square, located within the block bounded by Wellesley Street East, Ontario Street, Carlton Street and Bleecker Street and at 405 Sherbourne Street, and as such prescribes development standards for the property located at 225 Wellesley Street East; and

WHEREAS By-law No. 740-2004 secured community benefits pursuant to Section 37 of the Planning Act, including the closing, decking over and landscaping of the entrance ramp to the underground garage beneath Hugh Garner Co-op, located at 550 Ontario Street, to provide additional landscaped open space on the block; and

WHEREAS closing the existing entrance ramp would require Hugh Garner Co-op to share the ramp of the adjacent proposed residential building at 225 Wellesley Street East; and

WHEREAS the owner of the adjacent property at 225 Wellesley Street East has applied for Site Plan Approval, pursuant to Section 41 of the *Planning Act*, with plans that conform to the requirements of the Section 37 Agreement to close, deck over and landscape the parking entrance ramp of the Hugh Garner Co-op; and

WHEREAS the Board of Directors of Hugh Garner Co-op has expressed strong interest in retaining a separate parking garage access to their building’s underground garage, notwithstanding the requirements of By-law No. 740-2004 and the Section 37 Agreement, and is concerned that the shared ramp proposed by the adjacent developer will result in indirect and inconvenient access to the Co-op’s underground garage; and

WHEREAS the owner of 225 Wellesley Street East has expressed interest in parking garage access for the proposed development that is separate from the access for Hugh Garner Co-op;

NOW THEREFORE BE IT RESOLVED THAT City Council request the Director of Community Planning, Toronto and East York District, to report to Council, through the Toronto and East York Community Council, at the first Council meeting of 2007, on the steps and actions which would be necessary to permit and implement retention of the existing entrance ramp to Hugh Garner Co-op's underground garage as a separate entrance ramp."

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(26) Alcohol and Gaming Commission of Ontario Proceeding - Dang Restaurant, 99 Pape Avenue

Moved by Councillor Fletcher, seconded by Councillor Bussin

"**WHEREAS** a 'Licensee' is the holder of liquor licence No. 281041 (the 'Licence') for an establishment located at 99 Pape Avenue, in the City of Toronto, and operating as Dang Restaurant; and

WHEREAS Dang Restaurant is located adjacent to a residential area and local residents have expressed concerns to the local Councillor about public drunkenness, harassment of pedestrians by individuals in front of Dang Restaurant, drug activity, noise and other impacts emanating from Dang Restaurant; and

WHEREAS charges have been laid against Dang Restaurant by police officers from the Toronto Police Service, 55 Division, and these charges are presently before the Courts; and

WHEREAS the Licensee is proposing to transfer the Licence to 1660589 Ontario Inc., which is proposing to change the name of Dang Restaurant to Sunshine Restaurant; and

WHEREAS given the public safety and nuisance concerns raised by residents and the Toronto Police Service, the continuation or the transfer of the Licence is not in the public interest;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (the ‘AGCO’) that the continuation of the Licence for Dang Restaurant is not in the public interest, having regard to the needs and wishes of the residents, and to request the Registrar to issue a Proposal to Revoke the Licence;

AND BE IT FURTHER RESOLVED THAT City Council direct the City Clerk to advise the Registrar of the AGCO that the transfer of the Licence from the Licensee to 1660589 Ontario Inc. is not in the public interest, having regard to the needs and wishes of the residents, and to request the Registrar to issue a Proposal to Refuse to Transfer the Licence;

AND BE IT FURTHER RESOLVED THAT the AGCO be requested to provide the City of Toronto with an opportunity to participate in any proceedings to revoke the Licence or to refuse the transfer of the Licence with respect to Dang Restaurant, and the City Solicitor and necessary City staff be authorized to participate in any such proceedings before the AGCO.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(27) Extension of Poll Area - Application for Front Yard Parking at 100 Glendale Avenue

Moved by Councillor Watson, seconded by Councillor Soknacki

“**WHEREAS** an application for front yard parking has been made at 100 Glendale Avenue which meets the physical criteria of the City of Toronto Municipal Code; and

WHEREAS a formal poll now needs to be conducted to determine whether there is sufficient neighbourhood support for this application to proceed; and

WHEREAS the City of Toronto Municipal Code, Chapter 400, Section 9D 2(a), states that ‘the polling area shall consist of the residential properties located on both sides of the street within one hundred metres of the subject property, or to the nearest intersection’; and

WHEREAS, as a result of this provision, staff have indicated that the area to be polled will be from 92 to 130 Glendale Avenue on the even side, and from 125 Glendale Avenue on the odd side, whichever is the shorter distance; and

WHEREAS Glendale Avenue is a very long residential street with no cross streets, meaning that the removal of one on-street permit parking space would affect residents on the entire length of the street; and

WHEREAS permit parking in Ward 14 is over-subscribed and serves a broad area; and

WHEREAS front yard parking is a contentious issue in Ward 14, and across the City;

NOW THEREFORE BE IT RESOLVED THAT, notwithstanding the provisions of Chapter 400 of the Municipal Code, staff of the Transportation Services Division be requested to extend the poll up to and including 150 Glendale Avenue, on the even side of the street, and up to and including 179 Glendale Avenue, on the odd side of the street;

AND BE IT FURTHER RESOLVED THAT if the response to the poll is less than 50 percent, a report be submitted to the Toronto and East York Community Council.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(28) Re-opening of Proposed Parking Lot for the Palais Royale

Moved by Mayor Miller, seconded by Councillor Moscoe

“**WHEREAS** at its meeting of July 19, 20, 21 and 26, 2005, City Council authorized the City to licence to the tenant, City-owned parkland located to the east of the Palais Royale Building for parking purposes; and

WHEREAS there was significant community concern expressed that resulted in an alternate Toronto Parking Authority parking lot proposal on the median of Lake Shore Boulevard, which was adopted by City Council on June 27,28 and 29, 2006; and

WHEREAS City Council has initiated steps to establish a Western Waterfront Master Plan and an Integrated Beach Management Strategy which will develop a comprehensive master plan for the western waterfront and an Integrated Beach Management Strategy for the City’s beaches; and

WHEREAS there is significant concern in the community that the lease for the Palais Royale will be signed shortly and will contain a commitment for parking on the median before the Integrated Beach Management Strategy is complete;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 5, Clause 19, headed ‘Constructing an Alternative Parking Lot in the Median of Lakeshore Boulevard West, the Installation of a Mid-Block Pedestrian Traffic Control Signal in the Vicinity of 1601 Lakeshore Boulevard West, Terminating the Existing Agreement with Shoreline Entertainment Inc., and the Execution of an Agreement with the Palais Royale Corporation (Ward 14 Parkdale-High Park)’, adopted, as amended, by City Council on July 27, 28 and 29, 2006, be re-opened for further consideration, only as it pertains to the parking lot proposal on the median of Lake Shore Boulevard;

AND BE IT FURTHER RESOLVED THAT any lease signed with the Palais Royale not contain reference to parking;

AND BE IT FURTHER RESOLVED THAT the Toronto Parking Authority defer any construction on the median until after the study is complete;

AND BE IT FURTHER RESOLVED THAT staff work with the proponent on an interim solution to provide parking for the Palais Royale.”

Disposition:

Notice was not waived to permit introduction of this Motion at City Council on September 25, 26 and 27, 2006.

Council also considered the following:

Communication:

- (September 26, 2006) from Stanley Makuch, Cassels Brock, Lawyers [Communication 62(a)].

- Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(29) Authority to Enter into Settlement Discussions – Temporary Sales Offices
Moved by Councillor Fillion, seconded by Councillor Moscoe

“**WHEREAS** City Council at its meeting on July 27, 2006, passed By-law No. 686-2006, regulating permissions for temporary sales offices in the former City of North York; and

WHEREAS it is desirable that By-law No. 686-2006 come into force as soon as possible, in order to protect stable residential neighbourhoods; and

WHEREAS only three appeals have been filed regarding By-law No. 686-2006, all of them site specific and in areas that do not affect stable residential neighbourhoods; and

WHEREAS City Council will not meet again until next year;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor, in consultation with City Planning staff, be authorized to enter into settlement discussions with the three appellants and report to the next meeting of the Planning and Growth Management Committee.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(30) Transfer of Section 37 Funds to Economic Development, Culture and Tourism Accounts for Village of Islington Business Improvement Area

Moved by Councillor Milczyn, seconded by Councillor Grimes

“**WHEREAS** City Council at its meeting of on May 21, 22 and 23, 2002, adopted, as amended, Etobicoke Community Council Report 6, Clause 1, headed ‘Application for Site Plan Approval - Scott’s Restaurants Inc., 5322 Dundas Street West’; and

WHEREAS City Council at its meeting of June 18, 19 and 20, 2002, adopted, without amendment, Motion J(18), entitled ‘Payment in lieu of Public Pedestrian Connection – 5055 Dundas Street West and Mabelle Avenue’; and

WHEREAS, as a consequence of adoption of Motion J(18), without amendment, Council:

- (1) amended Clause 20 of the Section 37 agreement between the City of Toronto and Port Royal Place Developments Inc. to provide for a cash payment of \$150,000.00 to the City in lieu of the requirement of the developer to provide a public pedestrian connection through the site to lands located between the eastern boundary of the site and Mabelle Avenue; and
- (2) established a discretionary reserve fund, called the ‘Dundas Street West Streetscape Improvements Reserve Fund’, to receive the payment referred to in Clause (1) above, and to be used for the purposes of funding streetscape improvements along Dundas Street West, in proximity to the development; and

WHEREAS City Council at its meeting of on June 24, 25 and 26, 2003, adopted, without amendment, Etobicoke Community Council Report 5, Clause 20, headed 'Appeals to the Etobicoke Centre Secondary Plan and Zoning By-law'; and

WHEREAS the above-noted report recommended that 'with respect to the appeal by Wittington Properties Limited, Council authorize staff to present a settlement to the Ontario Municipal Board that implements Ontario Municipal Board Order 0373 issued on March 18, 2003, regarding 7, 9 and 11 Burnhamthorpe Crescent'; and

WHEREAS the Ontario Municipal Board was withholding its Order until the execution of a Section 37 agreement to the City to be used for public art/streetscape improvements; and

WHEREAS the City is holding \$50,000.00 in a Deferred Revenue Account as a consequence of the action noted above; and

WHEREAS the City received a Capital Budget request in 2006 from the Village of Islington Business Improvement Area, for \$30,000.00 for murals and \$170,000.00 for streetscape improvements, with the anticipation that these two projects would be funded from the Section 37 monies held by the City, as noted above; and

WHEREAS this request is consistent with the purposes set out in the Section 37 agreements;

NOW THEREFORE BE IT RESOLVED THAT the 2006 Economic Development Capital Budget be amended by adding a Capital project - Village of Islington Streetscape Improvement Project Account CED037 (including planters, commercial murals, landscaping, street furnishings and decorative sidewalk treatments) with the total project costs of \$200,000.00 (gross) \$0 net with cash flows of \$20,000.00 for 2006 and \$180,000.00 for 2007;

AND BE IT FURTHER RESOLVED THAT \$150,000.00 from the Dundas Street West Streetscape Improvement Reserve Fund – XR1212, and \$50,000.00 from the City Planning Deferred Revenue Account be transferred to the above noted account, on an as needed basis;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto."

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

Council also considered the following:

- Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(31) Approval to Authorize the Acquisition of 11 St. Annes Road (Heydon Park Secondary School) for Use by the Toronto Police Service

Moved by Councillor McConnell, seconded by Councillor Fillion

“WHEREAS City staff have been searching, since 1999, to identify potential sites for the relocation of the Toronto Police Service (TPS) 14 Division headquarters, and finding a new site for 14 Division headquarters is considered one of the top three property requirements of the TPS; and

WHEREAS the search for a new site for 14 Division has been a challenging one, as the availability of sites having a suitable size and location to accommodate a new Police Division are at a premium within the existing boundaries of 14 Division; and

WHEREAS the property located at 11 St. Annes Road was deemed by TPS as a desirable location and being of a suitable size to accommodate their new 14 Division headquarters; and

WHEREAS the subject property is owned by the Toronto District School Board (TDSB) and was declared surplus to their needs in November 2003, as per Ontario Regulation 444/98 and the TDSB were originally offering the property on a short term lease basis only; and

WHEREAS a short-term lease basis was not desirable to TPS and Real Estate Services approached the TDSB to see if it would be willing to either sell the property or enter into a long term lease; and

WHEREAS the TDSB advised that they would be willing to sell the property but, in order for the City to acquire the subject property, the TDSB requires an unconditional commitment from City Council regarding the acquisition of this property prior to November 11, 2006, in order to meet the prescribed time lines contained within Ontario Regulation 444/98; and

WHEREAS, if the City cannot commit unconditionally to acquiring the property before November 11, 2006, the subject property will no longer be deemed to be surplus to the School Board’s needs;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 22, 2006) from the Chief Corporate Officer; and
- (2) as part of the due diligence period for this acquisition, the local area Councillors and community shall be consulted regarding this acquisition and the Toronto District School Board be requested to allow this consultation as a condition in an Agreement of Purchase and Sale.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

City Council on September 28, 2006, by its adoption of Motion J(57), without amendment, subsequently re-opened Motion J(31) for further consideration and rescinded its previous action that Motion. [See Page 259 for Council’s action on Motion J(57)].

Council also considered the following:

- Confidential report (September 22, 2006) from the Chief Corporate Officer [Confidential Communication C.25(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to acquisition of property.

- _____
- Confidential Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(32) City of Toronto Appointment to the Toronto Port Authority

Moved by Councillor Pitfield, seconded by Councillor Stintz

“**WHEREAS** the City of Toronto holds one (1) seat on the Toronto Port Authority Board of Directors; and

WHEREAS the Federal Government appointed five (5) members to the Board on August 25, 2006; and

WHEREAS the City of Toronto’s seat is presently vacant, and has been since April 2004; and

WHEREAS the Port of Toronto is a vital component of the City of Toronto's waterfront; and

WHEREAS the citizens of Toronto deserve to have a say in matters respecting Toronto's port;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Civic Appointments Committee to meet, as soon as possible, for the purpose of nominating the City of Toronto's representative to the Toronto Port Authority;

AND BE IT FURTHER RESOLVED THAT the Civic Appointments Committee report to the first regular meeting of the new Council in order to confirm the appointment."

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Civic Appointments Committee.

Councillor Walker declared an interest in this Motion, in that his daughter is an employee of the Toronto Port Authority.

J(33) 305 Dawes Road – Renewal of Lease of City Space Provided at Below Market Rent (Ward 31 – Beaches-East York)

Moved by Councillor Davis, seconded by Councillor Mihevc

“WHEREAS the subject property, known as the Goulding Estate, is comprised of a two-storey designated historic house of approximately 5,000 square feet; and

WHEREAS by the terms of an original lease agreement dating back to 1997, and together with three subsequent renewals, the Centre for Creative Ministries has leased the subject property from the City; and

WHEREAS by way of Supplementary Letters Patent in 2003, the tenant had changed its name from The Centre for Creative Ministries to The Hannon-Shields Centre for Leadership and Peace (the ‘Tenant’); and

WHEREAS the Tenant is an incorporated not-for-profit and a registered charitable organization, and has provided activities that have included wellness, leadership, counselling, art and creativity programs to the community, and The Children's Peace Theatre, which stages plays and events that have created learning opportunities for youth and seniors in the community, is the main program of the facility; and

WHEREAS staff of the Parks, Forestry and Recreation Division has determined that there is no interest in programming use for the site, and has advised that they support the work of the Tenant at the subject property; and

WHEREAS City Council at its meeting on April 12, 13 and 14, 2005, adopted, without amendment, Policy and Finance Committee Report 4, Clause 23, headed 'Phase One Implementation of the Policy on City-owned Space Provided at Below Market Rent'; and

WHEREAS the Tenant meets all the criteria set out in the policy, and is eligible to occupy City owned space provided at below-market rent; and

WHEREAS the report on the Phase 2 Implementation of the Policy on City-owned Space Provided at Below-Market Rent, including the recommendation on standardized lease terms and conditions which provides that the basic rent is a fixed annual amount of \$1.00 plus all taxes and operating costs, is pending City Council approval for its meeting on September 25, 26 and 27, 2006; and

WHEREAS the lease expired on February 28, 2006, and the Tenant has since been on a month-to-month overholding basis;

NOW THEREFORE BE IT RESOLVED THAT, subject to City Council approving the standardized lease terms and conditions, in accordance with the Below-Market Rent Policy:

- (a) authority be granted to enter a new lease for a term of 5 years, commencing as of October 1, 2006, with the Tenant, in accordance with the Below-Market Rent lease terms and conditions, otherwise the lease be renewed commencing as of October 1, 2006, on a month to-month basis, at the existing monthly rent of \$1,325.00 net, plus all taxes and operating costs, and all other terms and conditions to remain the same as the existing lease;
- (b) if the lease is renewed as a Below-Market Rent Lease, in accordance with the Below-Market Leasing policy, that as required by the Policy, authority be granted to enter into a Service Agreement in the form authorized by City Council with the Tenant, which includes terms and conditions satisfactory to the Parks, Forestry and Recreation Division; and
- (c) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

Council also considered the following:

- Location Map of the subject property.
-
- Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(34) Integrity Commissioner – Follow up Report on Hiring of Relatives of Members of Council in Council Offices

Moved by Mayor Miller, seconded by Deputy Mayor Feldman

“**WHEREAS** City Council at its meeting held on June 27, 28 and 29, 2006, referred Motion I(2) respecting an amendment to the Council policy on employment of relatives in Council Offices, to the Integrity Commissioner with a request that he consider the implications of the suggested policy change, and report directly to Council for its meeting on July 25, 2006; and

WHEREAS the Integrity Commissioner has submitted a report (September 19, 2006) in response to this request;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (September 19, 2006) from the Integrity Commissioner, and the recommendation contained in the report be adopted.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(34), without amendment, Council adopted, without amendment, the following recommendation contained in the Recommendation Section of the report (September 19, 2006) from the Integrity Commissioner:

“It is recommended that Council amend its June 7, 8 and 9, 2000 policy on Council Support Staff by adding the following subclause:

‘(4) this policy does not affect the continued employment of Council Office Support Staff in the following circumstances:

- (i) where a member of a Councillor’s staff becomes a relative of the Mayor or another member of Council as a result of election, appointment or marriage; or***

- (ii) *where a member of the Mayor's staff becomes a relative of a member of Council as a result of election, appointment or marriage.' "*
-

Council also considered the following:

- Report (September 19, 2006) from the Integrity Commissioner.

J(35) Integrity Commissioner Reports on Complaints of Violation of Councillor Code of Conduct - Use of City Resources in the Conduct of a Private Business – (1) and (2)

Moved by Mayor Miller, seconded by Deputy Mayor Feldman

“**WHEREAS** City Council appointed David Mullan as the Integrity Commissioner for the City of Toronto to provide independent and consistent complaint prevention and resolution, advice, opinion and education respecting the application of the Code of Conduct for Members of Council, and other by laws/policies governing the ethical behaviour of members, including general interpretation of the *Municipal Conflict of Interest Act*; and

WHEREAS the Integrity Commissioner has submitted the following reports:

- (1) (September 25, 2006) entitled ‘Report on complaint that a Member of Council violated Clause IV of the Code of Conduct by using City resources in the conduct of a private business (1)’; and
- (2) (September 25, 2006) entitled ‘Report on complaint that a Member of Council violated Clauses IV and V of the Code of Conduct by using City resources in the conduct of a private business (2)’;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the reports (September 25, 2006) from the Integrity Commissioner, and that staff recommendation contained in the Recommendation Section of the reports be adopted.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(35) without amendment, Council adopted, without amendment:

- (1) *the following recommendation contained in the Recommendation Section of the report (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clause IV of the Code of Conduct by using City resources in the conduct of a private business (1)”:*

“It is recommended that Council uphold the complaint but not impose any sanctions.”; and

- (2) *the following recommendation contained in the Recommendation Section of the report (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clauses IV and V of the Code of Conduct by using City resources in the conduct of a private business (2)”:*

“It is recommended that Council uphold the complaint but not impose any sanctions.”

Council also considered the following:

- report (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clause IV of the Code of Conduct by using City resources in the conduct of a private business (1)”;
- report (September 25, 2006) from the Integrity Commissioner, entitled “Report on complaint that a Member of Council violated Clauses IV and V of the Code of Conduct by using City resources in the conduct of a private business (2)”.

J(36) Request for an Interim Control By-law and Secondary Official Plan for the Area Bounded by both sides of Avenue Road from Lonsdale Road to St. Clair Avenue West {R4 Z2.0 Zone}

Moved by Councillor Walker, seconded by Councillor Jenkins

“WHEREAS three developmental applications for 609 Avenue Road, 587 Avenue Road and 215 Lonsdale Road were submitted on October 14, 2005, April 26, 2006, and April 28, 2006, respectively, to Urban Development Services, with proposals calling for significant increase in height, density and mass, contrary to current zoning and Official Plan provisions; and

WHEREAS on July 27, 2006, the development application for 609 Avenue Road was appealed to the Ontario Municipal Board, pursuant to section 22(7) of the *Planning Act*, on the basis of the Council’s failure to make a decision on the application in spite of the Council’s approval of a preliminary report which recommended further community consultation; and

WHEREAS through telephone calls, e-mails, letters and meetings, local residents have expressed concerns to the Ward Councillor about the proposed development, including that the new development will cast significant shadows on the neighboring residential buildings, increase traffic congestion, over-intensify the sites and the neighbourhood, be out of the neighbourhood context and be contrary to in-force Official Plan policies;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Chief Planner and Executive Director, City Planning, to complete a Secondary Plan in respect of residential land use and the land use planning regulations for the area bounded by both sides of Avenue Road from Lonsdale Road to St. Clair Avenue West {R4 Z2.0 zone}, and as shown within the heavy lines on Schedule A of the attached Interim Control By-law, which will provide criteria for development for the area;

AND BE IT FURTHER RESOLVED THAT City Council direct the Chief Planner and Executive Director, City Planning, to establish a working group which will examine how to develop a more cohesive urban design framework for the area;

AND BE IT FURTHER RESLOVED THAT City Council complete and enact the attached draft Interim Control By-law.”

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Toronto and East York Community Council.

Council also considered the following:

- Draft By-law entitled “Interim Control By-law for the area bounded by both sides of Avenue Road from Lonsdale Road to St. Clair Avenue West {R4 Z2.0 Zone}”; and
- Schedule “A” - District Map 50K-313.

J(37) Ontario Municipal Board Hearing – 102 Empress Avenue
Moved by Councillor Filion, seconded by Councillor Moscoe

“**WHEREAS** the Committee of Adjustment for the City of Toronto (North District) gave Modified Approval to an application by the owner of 102 Empress Avenue, to permit the construction of a one-storey addition attached to the rear of the existing dwelling; and

WHEREAS variances were requested for lot coverage and length of dwelling; and

WHEREAS Planning Division staff initially commented that the application be deferred to obtain a Preliminary Project Review to determine the correct variances, and further commented that, should the Committee choose to consider that application as submitted, the application be refused as it represented an overdevelopment of the site; and

WHEREAS the applicant submitted revised drawings reducing the variances requested and no further comments were made; and

WHEREAS the applicant has appealed the Modified Decision of the Committee of Adjustment for the minor variance application to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board has set October 13, 2006, as the hearing date for the application;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the City Solicitor and Planning Division staff to attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment's decision."

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

Council also considered the following:

- Notice of Decision, Minor Variance/Permission (June 9, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel.

J(38) Request for Attendance by City Solicitor and Staff to Attend the Ontario Municipal Board Hearing for Committee of Adjustment Application, 4685 Yonge Street

Moved by Councillor Filion, seconded by Councillor Moscoe

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Hightech Realty Inc., the owners of 4685 Yonge Street, to permit interior alterations to the existing interconnected buildings to facilitate restaurant and medical office uses; and

WHEREAS variances were requested for the number of parking spaces; and

WHEREAS Planning staff commented on the history of the site and recommended that the application be deferred to allow the applicant to clarify and perfect the application, and to address any and all outstanding issues; and

WHEREAS Transportation Services commented that the proposed ‘stand alone’ medical office and restaurant uses do not conform to the definition of uses covered by the parking policy. Due to the magnitude of the deficiency, application of the City’s Payment-in-Lieu of Parking Policy would not be recommended. The Division recommended that the application be refused; and

WHEREAS the Committee of Adjustment refused the application; and

WHEREAS the applicant has appealed the Decision of the Committee of Adjustment for the minor variance application to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board has set October 27, 2006, as the hearing date for this application;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the City Solicitor and Transportation Services staff to attend the Ontario Municipal Board Hearing to uphold the City’s By-law and the Committee of Adjustment’s Decision.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

Council also considered the following:

- Notice of Decision, Minor Variance/Permission (May 24, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel.

J(39) Heritage and Freedom Flag of the Vietnamese Community

Moved by Councillor Pitfield, seconded by Councillor Li Preti

“**WHEREAS** recently in the United States, the Yellow Flag with three red stripes (The Yellow Flag) has been recognized by Council members of many cities, counties and states as the ‘Heritage and Freedom Flag of the Vietnamese Community’; and

WHEREAS the act of honouring the Yellow Flag affirms the Viet people's indomitable spirit, and their love for independence, freedom and democracy; and

WHEREAS the Yellow Flag will forever be in the hearts of overseas Vietnamese and the 'anti communist' majority of domestic Vietnamese; and

WHEREAS the City of Toronto has allowed many groups to use its courtesy pole, among those the Gay and Lesbian communities to fly the Rainbow Flag on Pride Day, and others (including the Monarchists) to fly the Union Jack on Victoria Day; and

WHEREAS the Vietnamese Canadian community is not suggesting, in any way, that their community flag is a flag of any nation; and

WHEREAS the Vietnamese Canadian community has adopted the Flag as a symbol of their community, and they have flown this flag for the last thirty (30) years at all kinds of community events - not only at City Hall; and

WHEREAS the City of Toronto had raised The Yellow Flag at City Hall since 1982 until 2004; and

WHEREAS the Vietnamese Association of Toronto, a non-profit registered charitable organization, representing twenty-seven (27) organizations of the Vietnamese community in the Greater Toronto Area, have been denied permission to fly The Yellow Flag at City Hall in 2005 and 2006; and

WHEREAS the City of Toronto's flag raising policy states that, in addition to national flags recognized by the Federal Government, 'the City will also fly the flags of non-profit or charitable organizations';

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Clerk to consider requests, in 2007 and beyond, by the Vietnamese Association of Toronto to fly The Yellow Flag - the Heritage and Freedom Flag of the Vietnamese community, as a request by a non-profit organization, not as a request by a nation, as the Yellow Flag is not a national flag, but a flag that honours a community."

Disposition:

This Motion was ruled out of order at City Council on September 25, 26 and 27, 2006.

Council also considered the following:

- City of Toronto policy on "Flag Raisings".

J(40) Authorization for St. Clarens Avenue Speed Hump Traffic Study

Moved by Councillor Giambrone, seconded by Councillor Silva

“**WHEREAS** St. Clarens Avenue residents are concerned about drivers speeding dangerously on their street, including problems with ‘joy riders’ and ‘drag racers’; and

WHEREAS St. Clarens Avenue is a main entrance to Shirley Street Public School and is used daily by young children walking to and from school; and

WHEREAS Councillor Giambrone received a petition on September 22, 2006, from a significant number of St. Clarens Avenue residents requesting that speed humps be installed on their street;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council authorize a traffic study on St. Clarens Avenue, between Dundas Street West and Wyndham Street;

AND BE IT FURTHER RESOLVED THAT the Director, Transportation Services, be requested to report to the next meeting of the Toronto and East York Community Council on the results of the traffic study with a recommendation as to whether or not speed hump polling should be conducted on St. Clarens Avenue, between Dundas Street West and Wyndham Street;

AND BE IT FURTHER RESOLVED THAT appropriate City officials be authorized to take whatever actions may be necessary to bring the foregoing into effect.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

J(41) Authorization for Hickson Street Speed Hump Traffic Study

Moved by Councillor Giambrone, seconded by Councillor Silva

“**WHEREAS** Hickson Street residents are concerned about drivers speeding dangerously on their street, including problems with ‘joy riders’ and ‘drag racers’; and

WHEREAS Hickson Street is a main entrance to Shirley Street Public School and is used daily by young children walking to and from school; and

WHEREAS Councillor Giambrone received a petition on September 22, 2006, from a significant number of Hickson Street residents requesting that speed humps be installed on their street;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council authorize a traffic study on Hickson Street, between Brock Avenue and St. Clarens Avenue;

AND BE IT FURTHER RESOLVED THAT the Director, Transportation Services, be requested to report to the next meeting of the Toronto and East York Community Council on the results of the traffic study with a recommendation as to whether or not speed hump polling should be conducted on Hickson Street;

AND BE IT FURTHER RESOLVED THAT appropriate City officials be authorized to take whatever actions may be necessary to bring the foregoing into effect.”

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Toronto and East York Community Council.

J(42) Authorization for Wyndham Street Speed Hump Traffic Study

Moved by Councillor Giambrone, seconded by Councillor Silva

“**WHEREAS** Wyndham Street residents are concerned about drivers speeding dangerously on their street, including problems with ‘joy riders’ and ‘drag racers’; and

WHEREAS Councillor Giambrone received a petition on September 22, 2006, from a significant number of Wyndham Street residents requesting that speed humps be installed on their street;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council authorize a traffic study on Wyndham Street, between Brock Avenue and Saint Clarens Avenue;

AND BE IT FURTHER RESOLVED THAT the Director, Transportation Services, be requested to report to the next meeting of the Toronto and East York Community Council on the results of the traffic study with a recommendation as to whether or not speed hump polling should be conducted on Wyndham Street;

AND BE IT FURTHER RESOLVED THAT appropriate City officials be authorized to take whatever actions may be necessary to bring the foregoing into effect.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

J(43) Approval for a Lease Between the Toronto Economic Development Corporation (TEDCO) and the City of Toronto for a Portion of an Existing City Yard on Eastern Avenue

Moved by Councillor Lindsay Luby, seconded by Deputy Mayor Feldman

“**WHEREAS** the Toronto Economic Development Corporation (TEDCO) is working to secure a long-term employment use on a site adjacent to the City owned yards at Eastern Avenue and Booth Avenue; and

WHEREAS this potential employment use would bring new long-term skilled industrial jobs to the area; and

WHEREAS this employment use will only become feasible with the addition of a small (less than 2/3 acre) portion of the City owned lands; and

WHEREAS these City Yards are utilized by Divisions in both the Works and Parks, Forestry and Recreation service areas; and

WHEREAS these yards have large surface parking facilities which can be reconfigured to accommodate this employment use;

NOW THEREFORE BE IT RESOLVED THAT the Chief Corporate Officer, in conjunction with the City Solicitor, be authorized to enter into a nominal sum lease agreement of up to twenty-one (21) years with TEDCO for the use of up to 2/3 of an acre of the existing City Yard on Eastern Avenue to facilitate a TEDCO employment related project;

AND BE IT FURTHER RESOLVED THAT the General Manager, Parks, Forestry and Recreation Division, the General Manager, Transportation Services, the General Manager, Solid Waste Management Services Division, be consulted in this process to ensure minimal disruption to Divisional operational requirements and no costs to the affected Divisions;

AND BE IT FURTHER RESOLVED THAT TEDCO be requested to report to the Economic Development Committee on the details of the employment use and the economic impact of this initiative once the transaction is completed.”

Disposition:

City Council on September 25, 26 and 27, 2006, amended this Motion by deleting the Recitals and Operative Paragraphs and replacing them with the following new Recitals and Operative Paragraphs:

“WHEREAS the Toronto Economic Development Corporation (TEDCO) is working to secure a long-term employment use on a site adjacent to the City-owned yards at Eastern Avenue and Booth Avenue; and

WHEREAS this potential employment use would bring new long-term skilled industrial jobs to the area; and

WHEREAS this employment use will only become feasible with the addition of a small (less than 2/3 acre) portion of the City owned lands; and

WHEREAS these City Yards are utilized by the Parks, Forestry and Recreation Division, Transportation Division, Solid Waste Management Services Division and Toronto Water Division; and

WHEREAS these yards have large surface parking facilities which may be able to be reconfigured to accommodate this employment use;

NOW THEREFORE BE IT RESOLVED THAT, subject to the approval of the General Managers of the affected Divisions, the Chief Corporate Officer, in conjunction with the City Solicitor, be authorized to enter into a lease agreement of up to 21 years with TEDCO for the use of up to 2/3 of an acre of the existing City Yard on Eastern Avenue to facilitate a TEDCO employment related project;

AND BE IT FURTHER RESOLVED THAT the Chief Corporate Officer be requested to report on the terms of the agreement to the General Government Committee;

AND BE IT FURTHER RESOLVED THAT the President and Chief Executive Officer of TEDCO be requested to report to the Economic Development Committee on the details of the employment use and the economic impact of this initiative once the transaction is completed.”

This Motion, as amended, was adopted by City Council.

J(44) Yonge Street/Sheppard Avenue Traffic and Pedestrian Management Study
Moved by Councillor Fillion, seconded by Councillor Moscoe

“**WHEREAS** existing traffic volumes in the Yonge Street and Sheppard Avenue area are approaching capacity during the a.m. and p.m. peak periods; and

WHEREAS pedestrian traffic in the Yonge Street/Sheppard Avenue area has increased since the opening of the Sheppard Subway Line;

NOW THEREFORE BE IT RESOLVED THAT Transportation Services staff be requested to retain a qualified transportation consultant to undertake a Traffic and Pedestrian Management Study for the area between Sheppard Avenue and Highway 401, along the Yonge Street corridor, which would include a public consultation component, funding to be provided through Development Charges, the study to include, among other things, the traffic operations in the area, pedestrian and subway signage, Ministry of Transportation Ontario improvements at the Yonge Street and Highway 401 interchange and the Yonge Street median south of Sheppard Avenue.”

Disposition:

City Council on September 25, 26 and 27, 2006, amended this Motion by deleting from the Operative Paragraph, the words “Development Charges”, and inserting instead the words “the North York Development Charge Account”, so the Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT Transportation Services staff be requested to retain a qualified transportation consultant to undertake a Traffic and Pedestrian Management Study for the area between Sheppard Avenue and Highway 401, along the Yonge Street corridor, which would include a public consultation component, funding to be provided through the North York Development Charge Account, the study to include, among other things, the traffic operations in the area, pedestrian and subway signage, Ministry of Transportation Ontario improvements at the Yonge Street and Highway 401 interchange and the Yonge Street median south of Sheppard Avenue.”

This Motion, as amended, was adopted by City Council.

J(45) 88-90 Carlton Street - Demolition Permit

Moved by Councillor Rae, seconded by Deputy Mayor Feldman

“**WHEREAS** the Toronto Community Housing Corporation (‘TCHC’) is the owner of the property located at 88-90 Carlton Street (‘the property’); and

WHEREAS there are two vacant residential buildings on the property containing forty units each ('the buildings') that were built in about 1928; and

WHEREAS TCHC retained the services of an expert in Urban Entomology and consultant to the City of Toronto in related matters, to inspect the buildings for termites; and

WHEREAS the Entomologist has reported that the buildings have extensive termite infestation that represents a 'formidable challenge' for renovation and, further, that the extent and severity of the termite infestation warrants a 'cost out' of demolition and reconstruction versus renovation and termite remediation for these buildings; and

WHEREAS the Entomologist's findings form the basis of a consulting Structural Engineer's report stating termite damage to sufficient structural components to constitute a risk of collapse if the buildings were occupied and furnished; and

WHEREAS the consulting Structural Engineer does not recommend repair under the circumstances; and

WHEREAS TCHC has initiated design for and intends to erect a new not-for-profit affordable housing project containing 108 units; and

WHEREAS TCHC held a Community Consultation meeting on July 12, 2006, to seek input as to the design of the proposed new building; and

WHEREAS the TCHC has commenced its first step towards a development application by applying for a Preliminary Project Review with the Buildings Plan Review Division and a Site Plan application which is complete and is to be submitted on September 27, 2006 (this week); and

WHEREAS the vacant buildings could constitute a hazard from collapse during the winter months with additional loads from accumulated snow; and

WHEREAS the buildings, in the recent past, have been subject to illegal, unsafe squatting, which caused extensive fire damage; and

WHEREAS the buildings, in the recent past, had been illegally and dangerously occupied; and

WHEREAS the City has been designated as an area of demolition control, pursuant to the Planning Act 33(3), and no person shall demolish unless a permit is issued by Council; and

WHEREAS the owner has filed an application to Council for a permit to demolish a residential property and Council may issue the permit;

NOW THEREFORE BE IT RESOLVED THAT the Chief Building Official issue the demolition permit for the residential property on behalf of Toronto City Council and apply the standard applicable conditions to the permit.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

J(46) Temporary Closure of Portions of Basin Street and Saulter Street South To Establish a Construction Staging Area

Moved by Councillor Fletcher, seconded by Deputy Mayor Bussin

“**WHEREAS** the City of Toronto Transportation Services Division has received a request to temporarily close a portion of Basin Street, west of Bouchette Street, and a portion of Saulter Street South, extending northerly from Basin Street to Commissioners Street, to accommodate a construction staging area; and

WHEREAS City of Toronto Municipal Code Chapter 937-2 grants authority to staff to issue full or partial closures for the public right-of-way for periods up to 30 days in connection with private construction; and

WHEREAS the request for the temporary enclosure will be in excess of 30 days;

NOW THEREFORE BE IT RESOLVED THAT permission be granted to the Toronto Film Studios for the temporary closure of Basin Street and Saulter Street South for construction staging and the temporary storage of materials and equipment, in keeping with the report (September 25, 2006) from the General Manager, Transportation Services;

AND BE IT FURTHER RESOLVED THAT the staff recommendations contained in the Recommendations Section of the attached report (September 25, 2006) from the General Manager, Transportation Services, be adopted.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(46), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 25, 2006) from the General Manager, Transportation Services:

“It is recommended that:

- (1) *the request to temporarily close portions of the public highway of Basin Street, 57.3 m west of Bouchette Street and Saulter Street South, extending northerly from Basin Street to Commissioners Street be approved to facilitate construction of the new studio facility at Filmport, subject to the applicant agreeing to but not limited to the following:*
- (a) *indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing an insurance policy for such liability for the duration of the temporary closure in a form as approved by the Deputy City Manager and Chief Financial Officer and in an amount not less than \$5,000,000.00, or such greater amount as the Deputy City Manager and Chief Financial Officer may require;*
 - (b) *not to undertake any construction work within the temporarily closed portions of Basin Street and Saulter Street South until after the formal road closing is ratified;*
 - (c) *provide a permanent right-of-way on a 24-hour basis over the portion of Basin Street, shown as Part 1 on Sketch No. PS-2005-135, for vehicular and pedestrian access purposes in favour of Hydro One and Toronto Hydro;*
 - (d) *provide unrestricted access to the various utility companies together with Toronto Water who have existing plants within the affected portions of the right of way to be temporarily closed, for maintenance and/or emergency purposes;*
 - (e) *pay a monthly rental fee for the area of public right-of-way enclosed in keeping with the provisions of Chapter 313, of the former City of Toronto Municipal Code, Streets and Sidewalks; and*
 - (f) *accept such additional conditions as the City Solicitor or the General Manager, Transportation Services may deem necessary in the interest of the City;*
- (2) *such permission shall terminate once permission for the permanent road closure has been finalized and the by-law enacted to permanently close the affected portions of Basin Street and Saulter Street South; and*

- (3) *the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that may be required.*

Council also considered the following:

- Report (September 25, 2006) from the General Manager, Transportation Services.

J(47) Regent Park Phase 1 – Proposed Two-way Operation on Regent Street between Dundas Street and new Cole Street

Moved by Councillor McConnell, seconded by Councillor Fletcher

“**WHEREAS** the Executive Director, Technical Services has prepared a report on proposed two-way operation on Regent Street, between Dundas Street and new Cole Street; and

WHEREAS approval of this report is urgent in order to set direction on the width of the street for this short section of street; to finalize the design detail for the Plan of Subdivision so that it can be registered; to permit the building permits to be issued; and to enable the Toronto Community Housing Corporation (TCHC) to meet its provincial funding and construction timing commitments; and

WHEREAS the loading access design is under discussion between City staff and TCHC staff to develop a solid waste service loading design for Block 3 in Phase 1 of the Regent Park redevelopment;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report (September 26, 2006) from the Executive Director, Technical Services, and the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

In adopting Motion J(47), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 26, 2006) from the Executive Director, Technical Services:

“It is recommended that:

- (1) *the extension of Regent Street, between Dundas Street and new Cole Street, be designed to operate as a two-way street;*
- (2) *staff work with Toronto Community Housing Corporation (TCHC) to develop a solid waste service loading design for Block 13 in Phase 1 of the Regent Park redevelopment that would provide for refuse collection services to be carried out in accordance with the City's Guidelines;*
- (3) *in the event a practical alternative service loading design for Block 13 cannot be achieved by October 25, 2006, then the loading design as proposed by TCHC be accepted, and that the City's Solid Waste Management Division provide refuse collection services for the proposed residential development on Block 13; and*
- (4) *the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto, including the introduction in Council of any Bills that may be required."*

Council also considered the following:

- Report (September 26, 2006) from the Executive Director, Technical Services.

J(48) Creation of a French Language Office

Moved by Councillor Giambrone, seconded by Councillor Li Preti

"WHEREAS the Constitution of Canada provides that English and French are the official languages of Canada; and

WHEREAS funding to assist in setting up French Language services may be available from provincial and federal governments, as well as the Association of French Municipalities of Ontario, of which the City of Toronto is a member;

NOW THEREFORE BE IT RESOLVED THAT City Council request the City Manager to report to the Executive Committee in the first quarter of 2007 on opportunities for the creation of a French Language Services body within the City, including the provision of translation of City By-laws and documents."

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion without amendment.

Council also considered the following:

- Fiscal Impact Statement (September 26, 2006) from the Deputy City Manager and Chief Financial Officer.

J(49) Scarborough and the Media - Request for a Media Fairness Protocol

Moved by Councillor Kelly, seconded by Councillor Thompson

“**WHEREAS** Scarborough is a wonderful community of beautiful parks and neighbourhoods; and

WHEREAS Scarborough has produced terrific athletes and world class entertainers; and

WHEREAS Scarborough is home to the City of Toronto Zoo, one of the world’s premier Zoos; and

WHEREAS Scarborough has local theatre, arts organizations and orchestras second to none; and

WHEREAS Scarborough is the only pre-amalgamation community to retain its historic boundaries; and

WHEREAS Scarborough’s residents are proud of their past and confident of its future; and

WHEREAS the media, when reporting occurrences of crime in other areas of the City, use the street names or that of the local community, but uses the name Scarborough when reporting occurrences of crime in the east end of the city; and

WHEREAS the real estate value of homes in Scarborough is deleteriously affected by the media’s continual use of Scarborough when reporting on crime; and

WHEREAS Toronto Police Division 42 has the second lowest crime rate in the City of Toronto; and

WHEREAS crime occurring in a few localized areas is attributed to the larger Scarborough community; and

WHEREAS a writer for the National Post, after a two-week tour of communities across Toronto, declared Scarborough as the City’s most attractive community;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council request the media to stop using the name Scarborough when reporting crime that takes place east of Victoria Park Avenue;

AND FURTHER BE IT RESOLVED THAT the print and broadcast media be requested to sign a protocol, when crime is reported east of Victoria Park Avenue, to use only the street name, community, or nearest arterial intersection, as is done in other areas of the City of Toronto.”

Disposition:

City Council on September 25, 26 and 27, 2006, referred this Motion to the Executive Committee.

J(50) Increasing the City’s Indoor and Outdoor Rinks

Moved by Councillor Grimes, seconded by Councillor Saundercook

“**WHEREAS** hockey is a favourite Canadian pastime in which boys, girls and adults of all ages want to participate; and

WHEREAS there have not been any new arenas built in the City of Toronto since 1981, and there are currently no future plans to build any additional ice rinks in the City; and

WHEREAS Girl’s hockey is becoming one of the fastest growing sports, and more ice time availability is required to accommodate these types of leagues as they too require a fair share of ice time;

NOW THEREFORE BE IT RESOLVED THAT the General Manager, Parks, Forestry and Recreation be requested to report to the Community Development and Recreation Committee on the feasibility of adding an outdoor rink to existing indoor rinks, where possible, in order to make the operation more efficient across the City, and increase the overall number of ice pads available for sports and recreational skating;

AND BE IT FURTHER RESOLVED THAT the General Manager, Parks, Forestry and Recreation, in consultation with Toronto Economic Development Corporation, the Toronto Fire Service, Emergency Medical Services, the Toronto Public Library, and the Toronto School Boards, be requested to explore possible partnership opportunities when investigating the possibility of building multi-pad facilities and report to the Community Development and Recreation Committee on a long-term strategy to replace the City’s aging arena infrastructure, and on multi-pad facilities by February 2007.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

J(51) Ontario Municipal Board Hearing - 46 and 48 Churchill Avenue

Moved by Councillor Fillion, seconded by Councillor Moscoe

“**WHEREAS** the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by the owners of 46 and 48 Churchill Avenue, for consent to sever two residential properties fronting onto the north side of Churchill Avenue into four residential properties having frontages of 10.42m, 10.5m, 10.6m and 10.06m each; and

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the four associated minor variance applications requesting variances for lot frontage and width, lot area, lot coverage, east and west side yard setbacks, dwelling length, finished first floor elevation and height; and

WHEREAS Planning staff commented the lots fronting onto Churchill Avenue, while smaller than the by-law requirement, would not be out of character with the mix of lot sizes presently found in the area; and

WHEREAS staff further commented that the lot fronting onto Basswood Road would be substantially smaller than the other lots on Basswood, to which it bears a direct relationship, and that the removal of the fourth lot would bring the lot areas of the three remaining properties closer to the lot area requirement of the by-law; and

WHEREAS the applicant has appealed the decisions of the Committee of Adjustment for the severance and minor variance applications to the Ontario Municipal Board; and

WHEREAS no date has been set for the hearing of the appeals;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to uphold the City’s by-law and the Committee of Adjustment’s decisions”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

Council also considered the following:

- Notice of Decision, Minor Variance/Permission (May 8, 2006) for 46 Churchill Avenue, File No. A0241/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;

- Notice of Decision, Minor Variance/Permission (May 8, 2006) for 46 Churchill Avenue, File No. A0240/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;
- Notice of Decision, Consent (May 12, 2006) for 46 Churchill Avenue, File No. B0027/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;
- Notice of Decision, Minor Variance/Permission (May 8, 2006) for 48 Churchill Avenue, File No. A0239/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;
- Notice of Decision, Minor Variance/Permission (May 8, 2006) for 48 Churchill Avenue, File No. A0238/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel;
- Notice of Decision, Consent (May 8, 2006) for 48 Churchill Avenue, File No. B0026/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel; and
- Extracts from the Minutes of the North York Panel Committee of Adjustment meeting held on May 4, 2006, regarding 46 and 48 Churchill Avenue.

J(52) Ontario Municipal Board Hearing - 200 Harlandale Avenue

Moved by Councillor Filion, seconded by Councillor Moscoe

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by the owners of 200 Harlandale Avenue, for consent to sever a residential property fronting onto the north side of Harlandale Avenue into two residential properties having frontages of 7.62m each; and

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated minor variance applications requesting variances for lot frontage and width, lot area, lot coverage, front yard setback, east and west side yard setbacks, finished first floor elevation and front yard landscaping; and

WHEREAS Planning staff commented that the proposed lots would be the smallest lots in the area and would be contrary to the by-law requirements and that, due to the existing pattern of lot frontages found in the study area, the creation of smaller lots by severance is neither desirable nor appropriate in this instance; and

WHEREAS the applicant has appealed the decisions of the Committee of Adjustment for the severance and minor variance applications to the Ontario Municipal Board; and

WHEREAS no date has been set for the hearing of the appeals;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to uphold the City's by-law and the Committee of Adjustment's decisions."

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

Council also considered the following:

- Notice of Decision, Minor Variance/Permission (August 10, 2006) for 200 Harlandale Avenue, File No. A0550/06NY, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel; and
- Extracts from the Minutes of the North York Panel Committee of Adjustment meeting held on August 3, 2006, regarding 200 Harlandale Avenue.

J(53) Extension of Implementation Date for the Harmonized Sick Leave Plan

Moved by Councillor Watson, seconded by Councillor Kelly

“WHEREAS in July 2006, City Council adopted, as amended, Policy and Finance Report 4, Deferred Clause 29c, headed ‘Harmonization of Sick Leave Plans for Management and Non-Union Employees’, which implemented a Harmonized Short-Term Disability plan for all Management and Non-Union employees, except for Councillors’ staff; and

WHEREAS City Council approved January 1, 2008, as the implementation date for the Harmonized Short-Term Disability Plan for Management and Non-Union Employees, except for Councillors’ staff; and

WHEREAS City Council referred the issue of the implementation date of the Harmonized Short Term Disability Plan for Councillors’ staff back to the Employee and Labour Relations Committee for consideration; and

WHEREAS it would not be fair for some City of Toronto employees to be treated differently from others; and

WHEREAS the City of Toronto Administrative, Professional, Supervisory Association Incorporated (COTAPSAI) believes it is inappropriate to extend the implementation date of the Harmonized Short-Term Disability Plan for Management and Non-Union Employees for only a select group of City employees [see attached communication 61(a) previously distributed]; and

WHEREAS the July 5, 2006 staff report, entitled ‘Sick Leave Plan – Financial Impact of Extending Implementation Date’, recognizes that, in order to treat employees fairly and equitably, the implementation date should be the same for all Management and Non-Union employees; and

WHEREAS the need to extend the implementation date of the Harmonized Sick Leave Plan beyond January 1, 2008, dates back to the amalgamation of the City of Toronto in 1998;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 4, Deferred Clause 29c, headed ‘Harmonization of Sick Leave Plans for Management and Non-Union Employees’, be re opened for further consideration, only as it pertains to the implementation date of the plan;

AND BE IT FURTHER RESOLVED THAT the implementation date for the Harmonization of Sick Leave Plans for all Management and Non-Union Employees be March 1, 2008, rather than January 1, 2008.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, re-opened Policy and Finance Committee Report 4, Deferred Clause 29c, headed “Harmonization of Sick Leave Plans for Management and Non-Union Employees”, for further consideration, only as it pertains to the implementation date of the plan, and adopted the balance of this Motion, without amendment.

Council also considered the following:

Communication:

- (September 26, 2006) from Richard Majkot, Executive Director, City of Toronto Administrative, Professional, Supervisory Association, Incorporated [Communication 61(a)].

J(54) Alcohol and Gaming Commission of Ontario (AGCO), Dreams Restaurant, 9 Milvan Drive, Units 1 and 2, Toronto, Ontario

Moved by Councillor Mammoliti, seconded by Councillor Palacio

“**WHEREAS** Dreams Restaurant & Lounge Inc. (‘Dreams’) is the holder of a liquor licence for an establishment located at 9 Milvan Drive, Units 1 and 2, in the City of Toronto and operating as Dreams Restaurant & Lounge (the ‘Licensed Premises’); and

WHEREAS at its meeting of May 23, 24 and 25, 2006, Council adopted, as amended, Etobicoke York Community Council Report 4, Clause 39, headed ‘Liquor Licence Application - 9 Milvan Drive, Units 1 and 2 (Ward 7 - York West)’, supporting the issuance of a liquor licence for the Licensed Premises, subject to a number of conditions to be added to the liquor licence; and

WHEREAS the Alcohol and Gaming Commission of Ontario (the ‘AGCO’) granted a liquor licence to the Licensed Premises, subject to a number of conditions as approved by Council; and

WHEREAS Dreams is now asking the City to consent to a variation of some of the conditions relating to security guards and security checks because of economic hardship; and

WHEREAS it would be appropriate for Council to consent to a variation of one of the conditions relating to security guards and security checks;

NOW THEREFORE BE IT RESOLVED THAT City Council support the variation of Condition No. 11 of Decision [2006] O.A.G.C.D. No. 270 with respect to the Licensed Premises and the requirement to have security guards present to conduct security checks:

from:

‘11. Certain hours of operations is defined as:

- (a) any Friday, Saturday or Sunday night between 9:00 p.m. and 3:30 a.m.; or
- (b) any time that a cover charge is required for entry; or
- (c) any time that live entertainment, including a disk jockey or band, is featured.’

to:

‘11. Certain hours of operations is defined as:

- (a) any time that a cover charge is required for entry; and

- (b) any time that live entertainment, including a disc jockey or band, is featured.’;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be authorized to take all necessary actions so as to give effect to this Resolution.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

J(55) 172 Danforth Avenue (Ralph Day Funeral Home) – Inclusion on the City of Toronto Inventory of Heritage Properties (Ward 29 – Toronto-Danforth)
Moved by Councillor Ootes, seconded by Councillor Rae

“**WHEREAS** the property located at 172 Danforth Avenue contains a funeral home, dating to 1922, which has design or physical value as a representative example of a commercial building with features of Neo-Gothic styling, and has contextual value as a local landmark on Danforth Avenue, east of Broadview Avenue; and

WHEREAS the Toronto Official Plan states that significant heritage resources will be conserved; and

WHEREAS there is a development application for the property at 172 Danforth Avenue that would involve the replacement of the existing building with a new structure; and

WHEREAS this is an urgent Motion as, given that this is a commercial property, it has no protection from demolition; and

NOW THEREFORE BE IT RESOLVED THAT following consultation with the Toronto Preservation Board at its meeting scheduled for October 19, 2006, City Council authorize the inclusion of the property at 172 Danforth Avenue (Ralph Day Funeral Home) on the City of Toronto Inventory of Heritage Properties;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

J(56) Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue

Moved by Councillor Milczyn, seconded by Councillor Grimes

“**WHEREAS** City Council at its meeting of September 25, 26 and 27, 2006, adopted, as amended, Etobicoke York Community Council Report 7, Clause 18, headed ‘Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue’; and

WHEREAS Bills were introduced before a necessary technical amendment to the Clause had been approved by City Council;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke York Community Council Report 7, Clause 18, headed ‘Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue’, be re-opened for further consideration, only as it relates to Recommendation (5) contained in the report dated August 28, 2006, from the Director, Community Planning, Etobicoke York District;

AND BE IT FURTHER RESOLVED THAT Recommendation (5) be amended by inserting the words ‘site plan’ before the word ‘approval’ so that Recommendation (5) now reads as follows:

‘as a condition of site plan approval, require the applicant to provide adequate funds to reinstate grass boulevards and street trees along The Queensway in front of each of the first three abutting properties to the immediate west of the existing gas station’;

AND BE IT FURTHER RESOLVED THAT the City Solicitor submit the necessary Bills to the special meeting of City Council on September 28, 2006.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, re-opened Etobicoke York Community Council Report 7, Clause 18, headed “Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue”, for further consideration, only as it relates to Recommendation (5) contained in the report dated August 28, 2006, from the Director, Community Planning, Etobicoke York District, and adopted the balance of this Motion without amendment.

[See Etobicoke York Community Council Report 7, Clause 18, headed “Final Report – Official Plan Amendment and Rezoning Application - Applicant: Imperial Oil Inc.; 6 Aldgate Avenue”, on Page 85 for Council’s additional action on this Clause.]

J(57) Acquisition of Land – 11 St. Anne’s Road, Heydon Park Secondary School
Moved by Councillor McConnell, seconded by Councillor Carroll

“**WHEREAS** at its regular meeting on September 25, 26 and 27, 2006, City Council considered and adopted Motion J(31), moved by Councillor McConnell, seconded by Councillor Filion, entitled ‘Approval to Authorize the Acquisition of 11 St. Anne’s Road (Heydon Park Secondary School) for Use by the Toronto Police Service’; and

WHEREAS Motion J(31) was premised on the stated understanding of City staff that, ‘the Toronto District School Board advised that they would be willing to sell the property but, in order for the City to acquire the subject property, the Toronto District School Board requires an unconditional commitment from City Council regarding the acquisition of this property prior to November 11, 2006, in order to meet the prescribed time lines contained within Ontario Regulation 444/98’; and

WHEREAS new written communication has been received from the Executive Superintendent of Facility Services of the Toronto District School Board indicating that, ‘the November 11, 2006 response date has no impact on the City’s ability to purchase Heydon (Park Secondary School)’; and

WHEREAS the Executive Director’s communication was confirmed by an accompanying letter from a Board lawyer; and

WHEREAS the local community has been promised adequate time for proper consultation by both the City and the Toronto District School Board, specifically meaning that a decision was not expected before January 2007; and

WHEREAS the City’s rights to the purchase of Heydon Park secondary School are not compromised by deferring consideration of the matter until proper consultation can be undertaken;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(31), moved by Councillor McConnell, seconded by Councillor Filion, entitled ‘Approval to Authorize the Acquisition of 11 St. Anne’s Road (Heydon Park Secondary School) for Use by the Toronto Police Service’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Motion J(31) be rescinded;

AND BE IT FURTHER RESOLVED THAT consideration of the confidential staff report appended to Motion J(31) be deferred to the January 2007 meeting of City Council.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, re-opened Motion J(31), moved by Councillor McConnell, seconded by Councillor Filion, entitled “Approval to Authorize the Acquisition of 11 St. Anne’s Road (Heydon Park Secondary School) for Use by the Toronto Police Service”, and adopted the balance of Motion J(57) without amendment.

Council also considered the following:

Communications:

- (September 28, 2006) from Councillor Pam McConnell, Ward 28, Toronto Centre-Rosedale; and
- (September 27, 2006) from Peter D. Quinn, McCarthy Tétrault, Barristers and Solicitors.

J(58) 1213 Danforth Avenue (Allenby Theatre) - Intention to Designate under Part IV of the *Ontario Heritage Act* – Ward 30 (Toronto-Danforth)

Moved by Councillor Fletcher, seconded by Councillor Rae

“WHEREAS the property at 1213 Danforth Avenue, containing the Allenby Theatre (more recently known as the Roxy Theatre) is listed on the City of Toronto Inventory of Heritage Properties; and

WHEREAS the Allenby theatre has design or physical value as a representative example of a movie theatre built between World Wars I and II with features of Art Deco styling, and has contextual value as a local landmark on Danforth Avenue; and

WHEREAS the Allenby Theatre meets the criteria prescribed by the Province of Ontario for municipal designation under Part IV of the *Ontario Heritage Act*; and

WHEREAS the Toronto Official Plan states that significant heritage resources will be conserved; and

WHEREAS this is an urgent motion because there is concern about the potential redevelopment of the property at 1213 Danforth Avenue and, given that it is a commercial property, it has no protection from demolition;

NOW THEREFORE BE IT RESOLVED THAT, following consultation with the Toronto Preservation Board at its meeting scheduled for October 19, 2006, City Council give notice of its intention to designate the property at 1213 Danforth Avenue (Allenby Theatre) under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, adopted this Motion without amendment.

J(59) Policy on Renewal of Existing Long-Term Leases of City Property by Small Business

Moved by Deputy Mayor Bussin, seconded by Councillor Rae

“**WHEREAS** the City does not have a policy to respond to proposals from small business owners who are already in lease agreements with the City; and

WHEREAS it is desirable for the City to have such a policy;

NOW THEREFORE BE IT RESOLVED THAT the Deputy City Manager and Chief Financial Officer and the City Solicitor be requested to review and report on a policy with respect to the renewal of existing long term leases of a City property by a small business in the circumstances where the City intends to renew a lease for the property for the same or similar purpose, in order to encourage and support small business entities that are serving the City of Toronto.”

Disposition:

City Council on September 25, 26, 27 and 28, 2006, amended this Motion by adding the following to the Operative Paragraph:

“such report to include, but not be limited to:

- (1) the desirability of such a policy;*
- (2) the circumstances under which such a policy will apply; and*
- (3) how such a policy will impact existing purchasing policies.”,*

so the Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT the Deputy City Manager and Chief Financial Officer and the City Solicitor be requested to review and report on a policy with respect to the renewal of existing long term leases of a City property by a small business in the circumstances where the City intends to renew a lease for the property for the same or similar purpose, in order to encourage and support small business entities that are serving the City of Toronto, such report to include, but not be limited to:

- (1) the desirability of such a policy;***
- (2) the circumstances under which such a policy will apply; and***
- (3) how such a policy will impact existing purchasing policies.”***

This Motion, as amended, was adopted by City Council.

Condolence Motions

(1) Moved by: Councillor Cowbourne

Seconded by: Mayor Miller

“WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Kenneth Lorne Richard Morrish, at the age of 87 years, on Sunday, July 30, 2006; and

WHEREAS Ken Morrish was first elected to political office in 1967 and served the residents of Highland Creek and Scarborough, as Alderman, as Senior Controller, as Deputy Mayor, and as Mayor in 1976. He was elected to Metro Council in 1994, and served as Deputy Metro Chairman until 1997. He served on the Metro Council Executive Committee and had a reputation as a tough Budget Chief. He also chaired the Works Committee, and in 1980 he advocated for a subway to serve the eastern area of the City; and

WHEREAS during World War II, Mr. Morrish served as a Flight Lieutenant in the Royal Canadian Air Force, from 1942 to 1945; and

WHEREAS Ken Morrish was descended from pioneer settlers who had extensive land holdings in the Scarborough area. Upon the untimely death of his Father, William John Morrish, in 1937, Ken, at the age of 18, along with his mother, Una, ran the Morrish family’s general store in Highland Creek. He was a very successful businessman and, as well as managing the family store, he ran a building supply business and developed land holdings, including the Highland Creek Village Plaza near Morrish and Kingston Roads. He was well loved and respected by the surrounding community and will be fondly remembered as a steadfastly honest man of his word, who treated everyone equally. In the local community he became known as ‘Mr. Highland Creek’; and

WHEREAS Mr. Morrish was a dedicated husband, father and family man, who was married to his late wife Shirley for 57 years. He was committed to his family, to his neighbourhood and to his City and he leaves a lasting legacy of generous acts and improvements in Highland Creek, Scarborough and Toronto;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his family.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion unanimously.

(2) **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. Leonard Charles Cullen on August 15, 2006, at the age of 81 years; and

WHEREAS Mr. Cullen was a lifelong resident and naturalist in the GTA; and

WHEREAS Mr. Cullen contributed to the environmental, economic, and esthetic health of the GTA through his enterprises Weall and Cullen Garden Centres, Greendale Garden Products and Cullen Country Barns; and

WHEREAS Mr. Cullen gave back to his community through his exquisite landscape designs at what would become Edward’s Gardens in Toronto, as well as the beautiful Cullen Gardens and Miniature Village in Whitby; and

WHEREAS Mr. Cullen’s legacy in Toronto continues through his children, especially his son Mark, who hosts a weekly nature program on CFRB and is a board member of the Toronto Parks and Trees Foundation;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to his wife Connie, children Susan, Peter, Mark, Nora and Tom, his eleven grandchildren and three great-grandchildren.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion unanimously.

(3) **Moved by: Councillor Fletcher**

Seconded by: Councillor Davis

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. John Gilbert, a respected friend of the City of Toronto; and

WHEREAS Mr. Gilbert was an esteemed and productive citizen of Toronto who, after being elected in 1965, spent thirteen years serving the citizens of Riverdale in the former riding of Broadview Greenwood as MP for the NDP; and

WHEREAS Mr. Gilbert worked tirelessly alongside Tommy Douglas and Ed Broadbent to bring about change in his community and country. He believed that the purpose of having a government was to defend the rights and the dignity of people from every social station, and to ensure that nobody had to go without the basic necessities of life; and

WHEREAS Mr. Gilbert will be remembered in the hearts of those in the Toronto community for his hard work and dedication over the past years, and he will also be remembered by his friends, neighbours and colleagues who had the great pleasure to know and work with him;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of Toronto City Council, our sincere sympathy to Mr. Gilbert’s family, dear friends, and the many people he touched during his lifetime.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion unanimously.

(4) **Moved by: Mayor Miller**

Seconded by: Councillor Mihevc

“**WHEREAS** the Mayor and Members of Toronto City Council are saddened to learn of the passing of City employee Kerry Giallombardo, at work on September 8, 2006, at the age of 32; and

WHEREAS Kerry Giallombardo worked for City of Toronto Hostel Services for 15 years, working in both administration and front-line service in Hostels Head Office, Robertson House, Women’s Residence, Birkdale Residence and in Emergency Planning; and

WHEREAS Ms. Giallombardo lived each day with joy and enthusiasm; and

WHEREAS her infectious smile and concern for others was an inspiration for those who worked with her; and

WHEREAS Kerry was a valued employee and will be greatly missed by all her colleagues at the City;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to her husband Matteo and son Braydon, her parents Elma and Emerson, and her sister Kimberly.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion unanimously.

(5) **Moved by:** Councillor Jenkins

Seconded by: Councillor Di Giorgio

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Ruth Johnson on Thursday, July 27, 2006; and

WHEREAS Ruth Johnson will be remembered as a pioneer advocate for the environment through her many radio and television appearances to promote recycling; and

WHEREAS she delighted school children with her rap music message, called the ‘Blue Box Rap’, long before rap music became popular; and

WHEREAS Ruth was featured in a video to promote the new ‘poop and scoop’ by-law that was considered a radical initiative a the time; and

WHEREAS in the ‘early days’, the family garage was used as a neighbourhood paper depot. Ruth and her husband used to transport all the collected newspapers to a City depot near Bathurst Street and Lawrence Avenue; and

WHEREAS she authored two popular books: ‘What to do till the Garbageman Arrives: A Miser’s Craft Manual’, and the ‘Creative Cook’s Recycling Book’; and

WHEREAS Ruth Johnson was the founding Chair and 20-year member of North York’s Environment Committee, and she was known in North York as ‘Mrs. Environment’; and

WHEREAS in recognition of her work, Ruth received the Volunteer Award for Environment, City of North York, and the Trillium Award for Environmental Activism from the Province of Ontario; and

WHEREAS she will be sorely missed by her loving family and many friends and admirers in the community;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to her husband David, daughter Jennifer, and sons John and the twins Bruce and Bud.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion unanimously.

(6) **Moved by:** Councillor Rae

Seconded by: Mayor Miller

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Dr. Edward Kamski; and

WHEREAS Dr. Kamski was a leader in the medical community in the fight against HIV/AIDS; and

WHEREAS at the time of Dr. Kamski starting his Toronto medical practice, HIV/AIDS was a new disease and few medical professionals were offering treatment; and

WHEREAS Dr. Kamski was a member of the Primary Care Physicians Group of AIDS doctors who met to inform themselves and educate others about this pandemic; and

WHEREAS Dr. Kamski was a major donor and a supporter of Toronto’s new opera house and a true Patron of the Arts;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to the family of Dr. Edward Kamski.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion unanimously.

(7) **Moved by:** **Councillor Mammoliti**

Seconded by: **Deputy Mayor Feldman**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Carmine Stefano, on Sunday, August 6, 2006; and

WHEREAS Carmine Stefano exemplified excellence and achievement in his advocacy and dedication to youth in our City; and

WHEREAS Carmine Stefano was the President of both the Weston Soccer Club and the Catholic Soccer League; and

WHEREAS Carmine Stefano spent most of his time and efforts leading youth to reach their full potential in a positive and supportive environment, through the sport of soccer; and

WHEREAS Carmine Stefano embodied sportsmanship, responsibility and respect in the mandate of the soccer organizations; and

WHEREAS Carmine Stefano was a community leader who has left a legacy in York West;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his wife Pina, his children Marco and Michael, and all surviving members of the Stefano family.”

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion unanimously.

(8) **Moved by:** **Mayor Miller**

Seconded by: **Councillor Holyday**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Douglas B. Ford, beloved father of Councillor Rob Ford, on Friday, September 22, 2006, at the age of 73; and

WHEREAS Mr. Ford, a long-time Etobicoke resident, represented the Etobicoke-Humber riding as a Progressive Conservative member of the Legislative Assembly of Ontario, from 1995 until 1999; and

WHEREAS, prior to his political career, Mr. Ford was a successful, self-made businessman, having founded Deco Labels and Tags in 1962, an ISO 9001 Certified firm in Etobicoke employing over 100 people; and

WHEREAS Mr. Ford's extensive community involvement included serving as a long-time Board Member of the Etobicoke General Hospital as Executive Committee Member and Fund-Raising Chairman, and he was instrumental in organizing the drive to purchase their first CAT Scan. In addition, he was involved with the Salvation Army Red Shield Campaign and Big Brothers of Toronto. He was also an active member of the Rotary Club for 38 years and was honoured by being designated a Paul Harris Fellow; and

WHEREAS Mr. Ford will be greatly missed and fondly remembered by his family, including his wife, Diane, sons, Randy, Doug Jr. and Rob, daughter, Kathy, three daughters-in-law and eight grandchildren, and his former colleagues and many friends;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to Mr. Ford's family."

Disposition:

City Council on September 25, 26 and 27, 2006, adopted this Motion unanimously.

Issued: October 6, 2006